

National Municipal Review

Vol. XXVIII, No. 4

Total Number 274

Published by NATIONAL MUNICIPAL LEAGUE

Contents for APRIL 1939

| | | |
|---|---|-----|
| LEAGUE'S BUSINESS..... | <i>Howard P. Jones</i> | 268 |
| EDITORIAL COMMENT..... | <i>A. W.</i> | 269 |
| GEORGIA COUNTIES OVERSHADOWED BY STATE CENTRALIZATION | <i>J. Thomas Askew</i> | 271 |
| COLORADO SPRINGS THRIVES UNDER THE MANAGER PLAN | <i>Josephyne H. Johnson</i> | 275 |
| NEW JERSEY ONE-FIFTH TAX-DELINQUENT: RURAL COMMUNITIES A SERIOUS PROBLEM..... | <i>Maurice F. Neufeld</i> | 279 |
| TENNESSEE EXPERIMENTS WITH THE MERIT SYSTEM | <i>William H. Combs and William E. Cole</i> | 287 |
| COUNTY ROAD ADMINISTRATION PROVES EFFICIENT UNDER MANAGER PLAN..... | <i>Tazewell Ellett</i> | 293 |
| ARKANSAS ABANDONS THE MERIT SYSTEM.... | <i>Henry A. Ritgerod</i> | 296 |
| BOSTON FINANCE IN A RESEARCH BUREAU CAPSULE..... | | 298 |
| ODDS AND ENDS FROM HERE AND THERE..... | | 303 |
| LETTER TO THE EDITOR..... | | 304 |
| RECENT NEWS REVIEWED | | |
| NOTES AND EVENTS..... | <i>H. M. Olmsted</i> | 305 |
| COUNTY AND TOWNSHIP GOVERNMENT..... | <i>Paul W. Wager</i> | 312 |
| TAXATION AND FINANCE..... | <i>Wade S. Smith</i> | 317 |
| PROPORTIONAL REPRESENTATION..... | <i>George H. Hallett, Jr.</i> | 322 |
| RECENT BOOKS REVIEWED..... | <i>Elsie S. Parker</i> | 325 |

The contents of the NATIONAL MUNICIPAL REVIEW are indexed in the *Engineering Index Service*, the *Index to Legal Periodicals*, the *International Index to Periodicals* and in *Public Affairs Information Service*.

League's Business

Bar Harbor Accepts League Proposals

In line with a recommendation made by the Consultant Service of the National Municipal League, the town meeting of Bar Harbor, Maine, voted on March 7th to appoint a committee of five to draw up a charter for the town manager form of government. The committee's report is scheduled to be presented to a special town meeting in the near future and then, if the voters approve it, the state legislature will be asked for its assent to the change.

At the March meeting Bar Harbor voters put into effect a number of other recommendations made by the Consultant Service in its January report on the town government. Appointment of a town physician was authorized, methods of granting poor relief were reorganized, steps were taken to have a zoning ordinance drafted, and restrictions were placed on the practice of accumulating departmental deficits.

New Publications of the League

The League has recently issued two new publications—*The Direct Tax Burden on Low Income Groups*, by J. M. Leonard, of the Detroit Bureau of Governmental Research, priced at thirty-five cents, and a *Model State Civil Service Law*, prepared by a joint committee composed of representatives of the Civil Service Assembly of the United States and Canada, the National Civil Service Reform League, and the National Municipal League. The report has been published under the joint auspices of the two latter organizations. Its price is fifty cents.

Abbott Pulliam Resigns from State Committee

The New York State Committee of the League has announced that Abbott Pulliam, organizer and coördinator of the New York State Bureau of Governmental Research, has resigned as its chairman. Mr. Pulliam's letter of resignation, addressed to the League's secretary, is as follows:

With several prominent members of the National Municipal League supporting the work of the New York State Bureau of Governmental Research and others also prominent opposing this work, I am herewith resigning as chairman of the state committee and as New York State editorial contributor to the NATIONAL MUNICIPAL REVIEW.

Mr. Pulliam is succeeded as chairman of the New York Committee by Professor M. P. Catherwood of Cornell University.

Baldwin Prize Essay Published

Members of the League will be interested to know that the essay winning the 1938 Baldwin Prize of one hundred dollars has been published by *Legal Notes on Local Government* in its March 1939 issue. The author is Edwin E. Warner, of Depauw University, Greencastle, Indiana, whose paper was devoted to "A Study of the Indiana Plan of Budgetary Review."

HOWARD P. JONES, *Secretary*

National Municipal Review

Editorial Comment

Frankness in Taxation

WHEN those who are really supposed to know all about taxation are unable to agree on principles and methods, it takes more than a little temerity to discuss the subject at all. But there is increasing suspicion, not alone on the part of real estate men and large income taxpayers, that the situation is growing no better—fast.

For years there have been many who argued that the whole taxing system needed a completely fresh approach, a sound re-thinking and re-shaping of basic principles.

But how can those in a legislative capacity be led to face the issue squarely when so much of the tax structure is based on concealment and deception?

Tons of paper and ink have been used to spread false propaganda about the number of "hidden taxes" in a loaf of bread or a pair of shoes or some other homely thing, but in the mountain of overstatement there still is a sizable hill of truth. Counting the taxes, adding up dollars, or comparing

the cost of government today and one hundred years ago has rather the effect of making the anti-tax army march as in a leaden-footed dream.

The amount of money being spent, the success with which one pressure group after another bludgeons benefits from public funds, the fiction that, after all, we are but "soaking the rich," are not the basic issues.

The real issue—the habit of thought which stands in the way of an honest, straight approach—is the sugar-coating and cushioning of each new tax to enable it to tackle from behind in the dark, the insidious effort not to soften the blow but to conceal it—kidding ourselves in the effort to kid the other fellow.

The successful operation of a democracy assumes an informed people participating on the basis of complete knowledge. But how can they vote intelligently on candidates and issues when every effort is made to avoid frankness and honesty in submitting the bill?

By way of illustration: During the recent income tax collections an internal revenue collector received from a man in Brooklyn a ten-dollar-bill and a note saying he and his wife hadn't made enough "to be taxed" but that he believed everyone should pay something to support the government. A refreshingly healthy attitude, but obviously this man, like so many others, isn't aware of the experts' estimates that at least 20 per cent of what he made had already gone directly or indirectly into taxes.¹

¹It takes one month of work by low income families to pay direct taxes alone. See *The Direct Tax Burden on Low In-*

come Groups, a recent study by J. M. Leonard, published by the National Municipal League.

The Inventor Reconsiders

ON SEPTEMBER 8, 1900, a tidal wave from the Gulf of Mexico swept over Galveston, Texas. The problem of rehabilitating the city called for drastic action. That action brought the birth of the commission form of government.

Despite the pride which naturally has been Galveston's in the fact that its emergency invention was widely imitated by hundreds of other communities, a citizens' group there, the Galveston Civic League, recently began the study of a more modern system of government, the council-manager plan. Naturally enough, just as other cities looked approvingly on the early accomplishments of Galveston's once new commission idea, the Civic League finds the effective efficiency of the council-manager plan demonstrated in its sister city, Dallas, as well as in nearly five hundred others.

In many respects, the commission was the forerunner of and paved the way for the council-manager plan which also provides for a small elected body in which lies essential authority over municipal affairs. The newer development, itself now a quarter of a century old, provides, in addition, a distinct division between administrative and legislative duties and for the appointment of a city manager to carry out the policies of the council.

The unparalleled rapidity of American progress from one form

of government to another and from one set of administrative practices to another demonstrates clearly that our people have struggled constantly for the improvement of local government. We have done more experimenting with the processes of democracy in this country since 1900 than the entire world has done over the period of a century, for the majority of the people of any city are no more satisfied with inept, wasteful, or political handling of the services they perform for themselves on a collective basis than they are with such handling of their private businesses or households.

The one great contribution of the commission idea was to prove the efficacy of the short ballot principle. It took some years to reveal that it was this, and not the commission form itself, which produced greater public understanding, confidence, and participation, and therefore, for a time, better government.

But the difficult period through which American cities have gone in recent years has spot-lighted clearly the glaring deficiencies of the commission form. Perhaps the most disturbing of these is the fact that the commission plan is geared for spending—it has no brakes. Each commissioner naturally wants to build up his own department, his own prestige. Each faces the temptation of bar-

(Continued on Page 329)

Georgia Counties Overshadowed by State Centralization

J. THOMAS ASKEW

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Counties rapidly becoming nonentities as state absorbs administration of roads, schools, welfare, charities and correction; few duties left to justify existence of rural local governments.

IN MARCH of this year there was introduced in the Georgia legislature a proposal to reduce the 159 counties to sixty. Needless to say, the suggestion did not receive serious consideration. Yet Georgia, more than any other state, perhaps, needs to consider county reorganization.

A few years ago agitation for overhauling and consolidating Georgia counties almost reached the point of a serious movement, and if the county problem had been more clearly understood and explained, some reorganization of local government might well have been accomplished. Acrimonious misunderstandings between citizens of poor rural counties and citizens of rich urban counties led the former to accuse the latter of unfairly exploiting the country folk, while the rural politician was accused of creating nefarious political devices to control state politics. There was much truth in both these accusations.

The county system as it has developed in Georgia is traceable to the fear of the rural citizens of

control by city folk; to a lack of confidence in the legislature; to rigid provisions in the constitution intended to preserve the status quo in local government; to the desire of vested interests, especially jobholders, to entrench a system of machine politics which they understand and control; and to a deep and sincere belief on the part of many people in the wisdom, wholesomeness, and safety of local self-government.

The worst practices of county and state machine politicians are "hangovers" from post Civil War days when political feuds reached a very low level. Managed elections, office trading, and other practices were fairly general although the villainy was more polished in some counties than in others. The crude sell-outs and ballot stuffings were apparent only in the most bitter campaigns.

But a low type of machine politics is not the fundamental cause of our county ills; indeed, the kind of local politics and the kind of local government we have is a practical adjustment to a bad economic and social situation which has lasted with more or less severity for many years past. Personally, I have found county officials just as moral as other local leaders, and no more guilty of abuse of power than the bankers or lawyers or other members of the community who possess

economic and social influence. Certainly officials in this section are no more vicious than they are in other sections, and they can not be blamed for conditions here.

The Georgia county, like other southern counties, was adjusted to the tempo of a largely self-contained, slow-changing rural community. The American industrial order brought into general use only recently in the South paved highways, railroads, factories, electric power, cities, and modern methods of business organization. The changes destroyed a great deal of rural culture and gave less in return than it did to the cities. The pristine glory of the general store with the twelve-months stock of goods is gone, and the farmer does most of his trading in the city, frequently one, two, or three counties away. Good roads made this possible. Choice goods shipped from the four corners of the earth are within one or two hours' drive, and if the farmer owns no car, he can order from the nearest distributing point of the mail-order house. Hospital and medical services and a variety of other attractions carry his dollars to town. There, through tax levies, they help to pay for city-county services which the rural county cannot afford. County lines no longer have any relation to the trading community.

YOUTH DESERTS THE FARM

And there is a bigger problem. For three generations the farm-

ers have been losing their economic and social status. For three generations the land and the people in Georgia have been washing away. Rich soil is deposited in the bottom of the sea, and valuable human resources, expensive to the rural home as youth, devote their economic lives to the building of the city. By reasonable methods of computation, the farms of Georgia since the World War have contributed to the cities of this and other regions human resources running into hundreds of millions of dollars. The city birth rate is far below the rate necessary to sustain the city population. Rural Georgia has been rearing the children who keep the city going.

The desperate financial plight of the rural citizen has confused him, and in struggling to preserve what he had, he has resorted to several political expedients, none of which has worked. Under the county unit system the governor, other statehouse officers, and senators and members of the House of Representatives in the Congress of the United States, are nominated in the Democratic primary by a county unit vote majority. The eight largest counties have six unit votes apiece; the thirty next in size, four each; and the remaining 123, two each. The candidates receiving the largest plurality of popular votes in a county receive all the unit votes of the county. The nominations to office are largely controlled in this way by the small county

machines working through a state organization. The Democratic nomination is the equivalent of election.

Undemocratic apportionment of representatives is the device used to assure control of the legislature by the representatives of rural counties. The eight largest counties have three representatives each in the lower house; the thirty next in size, two each; and the remaining 123, one each. Fulton county has a population of 335,000 people and Echols has 2,700.

But not to be overlooked is the fact that political power has proved impotent in the face of economic forces, and economic power has exerted control over what was supposed to be the farmer's government in spite of all the political devices he could muster.

There might be a way to rid the state of these undemocratic and irritating devices with a little deeper understanding of the county problem. Rural folk get impatient with men who talk glibly about inevitable change but exhibit so little understanding of the forces which have undermined the status of the rural community. Living in a depressed debtor area, the man from the country has watched the national government erect tariffs and subsidize business in general to the detriment of his standard of living.

The farmer knows, too, that somehow he has paid his share of

the taxes. And when he is told in all seriousness that Atlanta pays one-fourth of the state government's taxes, nothing being mentioned about the city's industrial plants and the distributing houses which sell goods to consumers all over the southeast who really pay the taxes, it is no wonder misunderstandings and political alliances develop which block attempts to reorganize local government.

STATE VS. COUNTY

Georgia has a tradition of poor government in the state as well as in the county so it is difficult to view with entire equanimity the rapid absorption of local functions by the state. However, the impasse which now exists between those who want the county enlarged and reorganized and those who are opposed because of the fear of a loss of political power seems to leave no alternative.

Georgia, more than most states in the union, has rapidly pushed the county toward obsolescence during the last generation. This has been especially apparent in recent years. The state highway department was created in 1916. Consistent increases in state appropriations and aid from the federal government have made the department the richest and most powerful in the state. Legislation passed in 1937, which provides for state construction and supervision of farm-to-market roads, virtually destroys the only remain-

ing excuse for numerous rural counties which have been little more than road districts for years. Contracting to maintain roads for the state and providing a place of meeting for the superior court twice a year will be slight justification for a county's existence.

Thirty-five years ago the state spent \$1,737,000 on education; last year, ending June 30th, the amount was over \$14,000,000.

The state has recently assumed responsibility for a seven-months school term, and only three states in the union, apparently, have school systems which permit as much central control.

Thirty-five years ago the state spent \$1,402,000 on charities and corrections, including care of the insane, the feeble-minded, the blind, and the inmates of prisons and reformatories. Last year the amount appropriated was over \$7,000,000.

Prior to 1937 there was slight state contact with welfare work in the counties. A state board with sweeping authority now directs most of the welfare work through a state director.

Thirty-five years ago state expenditures for the protection of life and property amounted to \$13,000. With the creation of a public safety department and a state police force the expenditures, including prison administration, rose to over \$900,000.

Comparable figures for other functions could be cited which tell the same story: the overshadowing of local government by the

state government. In 1903 state government costs were \$3,798,000 and last year \$49,000,000. In nearly every instance the increase in state activity can be justified on the ground that inadequate support by inefficient small counties has made the action of the state imperative, although some counties do administer their affairs better than the state.

The financial loss to the counties from the recent homestead exemption amendment will almost inevitably shift more functions to the state.

MERIT SYSTEM NEEDED

The most disturbing omission of recent centralizing legislation is a well conceived, comprehensive personnel law covering all departments and offices. The increase in the power of administrative officials, including the power to fix salaries and establish important rules and regulations, means that Georgia is likely to have a much worse government in the capitol and in the courthouse if the patronage system is not destroyed. The state and local machines are in large measure identical, and the state machine with large sums of money to spend and to allocate will not be able to escape easily from a long established habit of poor government.

In addition to a "county problem" we now have a "state problem," and there is no serious attempt to understand or solve

(Continued on Page 295)

Colorado Springs Thrives under the Manager Plan

By JOSEPHYNE H. JOHNSON
Colorado College

*Citizens Committee boasts
of eighteen years of effi-
cient manager government
in presenting engraved tes-
timonial to city council.*

ON JANUARY 15, 1939, in the *Colorado Springs Sunday Gazette and Telegraph* this comment appeared: "That engraved testimonial presented the city council by the Citizens' Committee only puts in concrete form a consensus of opinion of the residents of this fair city in every walk of life . . . that if our state and nation were governed as efficiently and economically, and with as little fuss and feathers as this municipality, our troubles would be less and our burdens lighter." This comment was made apropos of a resolution expressing formal appreciation of the work of the manager and the council, which was presented to them at the first council meeting in 1939.

Colorado Springs, a city of 35,000, made two governmental changes before arriving at the present setup with which the citizens so emphatically record their satisfaction. In 1909 the city voted to change from the aldermanic to the commission system when the latter proved a boon to the city of Galveston. Only three years later a city manager plan was being urged, but not until

April of 1921 did Colorado Springs finally adopt it.

The statement that interest in public affairs and pride in keeping up with the times materially affected these governmental changes is more understandable when the character of the population of Colorado Springs is taken into account. The city often has been called "Little London." The census of 1930 showed that almost 90 per cent of the population were so-called native whites, predominantly of British stock and unusually permanent. In comparison with figures for the United States as a whole, Colorado Springs has an older population, a larger proportion of married, divorced, and widowed, and an excess of women. Since 1874 Colorado Springs has been a "college town." It has no specific economic base and is largely a resort for health seekers and retired business men.

Naturally, such a population would be particularly concerned with securing an efficient and progressive government, and material comforts and improvements would mean a great deal. When improvement did not follow with the establishment of the commission form, the citizens sought something else. The business men of the city, in particular, had been greatly upset by the unbusiness-like administration under the commissioners. Records of council meetings and newspaper comments indicate that each commissioner was his own boss and ran his de-

partment with little regard for the general policy of the city.

Although salaries were very low, it is surprising to find how large a number of the commissioners were capable men and were re-elected year after year. They were not technically trained men, however, nor did they have any special executive ability.

The only new paving project started between 1912 and 1921 never got beyond the bidding stage until the first manager administration was installed. The commission administration handled the contract negotiations so ineptly that an injunction was issued preventing further action on its part. Since 1921, however, ninety-three miles of paving have been added as well as much curb and gutter.

PERMANENT IMPROVEMENTS

In addition, a new auditorium has been built, the publicly-owned utilities housed in a new building, and a sewage disposal plant installed, to say nothing of smaller constructions. A city hall, built in 1900 but not paid for either under the aldermanic or commission administrations, was finally cleared of debt in 1932.

Although all this led to a rise in governmental costs during the first few years of the city manager administration, everything points to a decrease now that the city is fast clearing up its obligations.

Inefficiency and failure to provide physical improvements were certainly reasons for the change from the commission to the manager system, but the supporters of

the latter plan also hoped that "something would be done" about the city's greatest problem.

Successive city administrations had experienced difficulty with the private utilities ever since the Board of Aldermen in 1898 gave to a private corporation a twenty-five-year franchise for the manufacture of electricity. The light and power company formed as a result of this grant was inefficiently run. The citizens paid high rates, but the profits lined the pockets of the stockholders in New York.

Then, too, the franchise involved the water supply of Colorado Springs, which in any "plains" city is a very vital matter. Consequently, Colorado Springs had tried each new form of city administration which had been developed in an effort to do something about the franchise, even if it were only to regulate effectively the company's utilization of the water supply of the city.

Once the city manager form was adopted, this problem was disposed of. Renewal of the franchise was refused, and the plant and equipment were purchased by the city. In spite of having to pay heavily for a badly rundown business, the city has built up one of the most successful municipally-operated utility systems in the United States. It will have paid off all its bonded indebtedness by October 1, 1939. The achievements of this department are greatly to the credit of its first manager, now the city manager as well.

Those business men who were

active in the campaign for a city manager almost eighteen years ago also deserve much praise. When sinister influences have threatened the utilities, they have rallied around to protect their achievement. At election time they do all they can to secure councilmen who will live up to that conception of the council-manager relationship which is an inherent part of the manager system in Colorado Springs, namely, that the manager is the administrator and the council the policy-making body. Adherence to this conception in great measure accounts for the continuance of those changes made under the city manager system.

AN IDEAL SETUP

The present manager, Earl L. Mosley, makes the most of the fact that he is not subject to election and can stay in the background so far as controversies on civic policies are concerned. During the early years of the manager system, the members of the council did not confine themselves to policy-making, and, due to their distrust of the first manager's ability, often interfered in the administrative field. Now, on the contrary, they might leave too much to the manager were he not wise enough to insist on the council's assuming all responsibility for policy.

It is also important to note in this connection that in the present Mayor, George G. Birdsall, Colorado Springs has a balance wheel—a man who acts not only as "front," but as an interpreter of

governmental policies to the citizen body. He also acts as a leader of the council and as a support for those administrative acts necessary for the carrying out of the policies determined by the council.

This is in marked contrast to the position of the mayor under the commission form. Often he was able, but so burdened with running a department, acting as a general administrator of all departments, and "greeting" that he had no time for that type of leadership provided by the present mayor. The manager himself feels doubtful as to the possibility of having an effective manager administration without a mayor to furnish such political leadership.

The councilmen regard themselves as members of a board of directors. Although these men were living in Colorado Springs and interested in having good government before 1921, with but few exceptions they would not have been willing to serve under the old commission system.

The members of the council generally do not act as interpreters either of the policies they determine or of administrative acts, but regard that as the function of the mayor. The administration, however, does not leave all of this to Mr. Birdsall. The manager has interviews with the press twice daily, and heads of departments are encouraged to contribute special articles to the newspapers. Speeches on administrative activities are an integral part of Mr. Mosley's work.

The administration does not

confine its public relations to interpreting its own policies for the public. The manager is very proud of the extent to which the city has cooperated with the various federal relief agencies since their establishment. There is a probability that, by this time, the present city tax levy would have approached even more closely the low 1921 level had it not been for the added costs occasioned by relief projects. It is the boast of the administration that the city itself has successfully taken care of many of the local unemployed. Now, when additional city employees are needed, it is the custom of the administration to secure them through the Colorado Re-employment Service.

Due to the willingness of the administration to cooperate, neither individuals nor civic groups are in the habit of turning to other organizations for the realization of civic objectives. The spirit of service is not confined to the executive and the policy-making body. Employees do not forget that they are, first of all, servants of the public.

Social and recreational phases have not been neglected. An extensive system of parks and playgrounds is maintained, with directed recreational programs during the summer months. The new beach and bathhouse recently completed at Prospect Lake have been the center of a very ambitious program. Last summer free classes in swimming and life saving instruction were provided as an addition to the already broad scope of the program.

Administratively, the present

government has accomplished much. Outstanding achievements are an improved accounting system, a well coordinated administration, and a merit system which is practical for a small city.

MODEL ACCOUNTING SYSTEM

In 1930 Haskins and Sells installed an efficient and up-to-date system of accounting. The manager has supplemented those methods of accounting control recommended with certain percentage calculations which simplify even more this important administrative function. A graph of the city's reserve account since 1913 shows a sharp upward trend since 1921.

Except for monthly written reports from which the manager constructs the statistical and financial portions of his reports to the council, his methods of coordination are those of a well run business of moderate size. The manager is able to do much of his administrative work through close personal supervision of the various divisions of administration without the elaborate tools sometimes necessary. This is possible, of course, because of the size of Colorado Springs.

The charter passed in 1909 provided for the establishment of a civil service commission with a secretary to carry on the day-to-day administration of the civil service. Its operation, however, had never been very satisfactory. No changes in the charter provisions have been made, but a real merit system has been worked out by the present administration. The man-

(Continued on Page 297)

New Jersey One-fifth Tax-delinquent: Rural Communities a Serious Problem

Miles of pine forest, sub-marginal soil, bogs, and sand incapable of meeting taxes for support of local governments; Wisconsin's zoning device cited as a way out.

By MAURICE F. NEUFELD
New Jersey State Planning Board

THE regulated development of land, whatever its use, is rapidly coming to be recognized as the primary concern of a rational society. The present wisdom of Washington, Wisconsin, and state agricultural experiment stations throughout the country declares that knowledge is on the march against a heritage of semi-ignorance. This conflict is basic.

All public services, no matter how limited, incomplete, or inefficient, are rational in origin and principle and must be founded, to function, upon informed judgment. Upon the irrational sprawl of the nation's economic life these services are thrust. While men and women in slums or eroded farms have been abandoned, under the guise of economic freedom, beyond the margins of security, society in its role as an instrument of vision, has insisted upon roads and schools in the most secluded outposts of a cut-over peninsula, and fire, police, and health protection in streets of con-

tinuous crime, filth, and poverty. Townships and counties where public costs exceed realizable taxes are already repetitiously famous and have become part of the folklore of contemporary social thought.

Rural communities which can neither pay for their primary services nor provide a living for their citizens have been studied in many states, most notably in Wisconsin. Recently, the New Jersey State Planning Board, like all agencies concerned with effective land-use development, has studied the problem of rural tax delinquency with the hope of adding another straw, perhaps the intolerable one, to the mounting evidence against disorder.

In New Jersey, as elsewhere, rural tax delinquency begins with the absence of public control. With hope posing as knowledge, a myth has been created that all property has private value. As a result, a strange compulsion exists to divide up into private ownership every foot of real property and to turn it ultimately to some kind of profitable use regardless of need or potentiality.

Although only rural areas of ten acres or more were covered in the New Jersey survey, nevertheless close to a fifth of the total land area of the state, or 900,000 acres, was found to be delinquent for one year or more at the beginning of 1936. One-half of this area was forested, while close to 70 per cent

was unfarmed. Although delinquent for one or more years, only 23 per cent had been sold for taxes, while private liens were held on but one per cent of the total area. Yet land of such little economic worth that the municipalities themselves had to acquire the properties they dared to put up for tax sale was shrouded in a fiction of value.

Within an hour's drive of Philadelphia, and little more than two hours from New York, is the pine land area of South Jersey. Forty per cent of all delinquency occurred in this region which covers more than a fifth of the state's area. Land is assessed here at an average of eight dollars an acre.

Nature in New Jersey, unwilling to abandon a universal performance, has limited what can be done on sand, submarginal soil, or bogs. When new mines in Pennsylvania were opened, when the glass industry mechanized and moved west, the employment of the Pineys,¹ which was never thriving, closed down upon them. Today, occupations suited to the region can be started only with ample capital, knowledge, and skill. Although this cycle of sparse living and certain removal has repeated itself everywhere in America, men are still unwilling to believe that the land they live on is barren of profit. In Wisconsin they hug the cut-over forest

land as though the pines still stood and lumbering were in its heyday. In New Jersey they pull sphagnum moss, pick wild blueberries, and gather holly and laurel.

It is no accident, then, that a third of the pine region of New Jersey running from southern Monmouth County to Cape May was tax delinquent. It is rather an ordinance of nature. In the agricultural region west of the pine lands the situation was slightly less desolate: 17 per cent of its area was delinquent, amounting to 32 per cent of the state's delinquent area. Toward the north, from the Piedmont section to the mountains, only 11 per cent of the land was delinquent, comprising but 23 per cent of the tax delinquent area of New Jersey.

COSTS EXCEED INCOME

Despite tax delinquency throughout these regions, the structures of government exist and offer services as though their townships were founded upon economic reality. Actually they are founded upon submarginal soil. In sixty-two rural townships, distributed among all but four counties of the state, expenditures for local services and improvements, principally roads and schools, exceeded in every case receipts from purely local sources. The balance was supplied by various forms of state aid and borrowing. The total population in these townships had remained almost stationary, increasing only a little more than seven

¹The name by which the inhabitants of the pine-land wastes of South Jersey are known. These million acres are a sterile place of mock forests, sand, and feeble-mindedness.

thousand from 1920 to 1930. In eighteen townships, the population had actually decreased.

All of these governmental service areas were paupers. Close to 70 per cent of the townships had an average per capita excess of expenditures over receipts ranging from five dollars to fifteen dollars, while 25 per cent had average per capita deficits ranging from fifteen dollars to thirty-five dollars. Taxes upon a fifth of the township areas were unpaid.

The causes of tax delinquency are indeed many, but may be grouped into two broad classes: those thriving upon the misuse of land and those nourished upon administrative maladjustments — inequalities of tax assessments and rates, irregular tax sales, failure to consolidate public services, and the need for the realignment of municipal boundaries. Remedial measures for delinquency caused primarily by administrative inefficiency are superficial and consequently more easily embodied in legislation than more fundamental cures which seek to remedy the causes of deep-abiding delinquency. These involve changing the encrusted habits of the most conservative section of the nation's population: people on the land.

SELECTED REGIONS STUDIED

In order to study at close range the various causes of tax delinquency, the New Jersey State Planning Board selected ten areas lying in each of the five major soil zones of the state. These areas

included municipalities with high percentages of their total land areas tax delinquent, together with nearby municipalities which had low percentages of delinquency. The soil classifications of each municipality as a whole as well as of the tax delinquent parcels within each municipality were analyzed. The average size of tax delinquent parcels was tabulated and the average number of acres of crop land harvested listed. In addition, notation was made of the percentage of tax delinquent land not farmed. The principal crops for each municipality were studied and the average number of chickens and cows per farm was also listed. Information was available at the New Jersey Agricultural Experiment Station on the average amount of tax per acre of farm land and improvements from 1930 to 1936 for a limited number of municipalities. An analysis was made of municipal tax sale habits. With this information at hand, it was possible to appraise generally the extent to which the problem was one of poor administration of tax laws or of more basic agricultural and economic maladjustment.

The ten study areas spread over 36 per cent of the land area of New Jersey. Some 463,000 acres of tax delinquent lands, divided into over seven thousand parcels, were covered.

In five areas, privately owned, unproductive land of poor soil potentiality was the first cause, used in its philosophical sense, of

tax delinquency. The proportion of unpaid taxes was found to increase inevitably with the acreage of unfarmed land upon which it was impossible to produce income of any kind. In the ten study areas, 15 per cent of the land not farmed was held by land development companies, while 55 per cent of the unfarmed land was held in single ownership in areas of one hundred acres or more. Ghost towns and abandoned farms expand on such acreage, as Dr. A. T. M. Lee's study, *Land Promotion Schemes in the New Jersey Pine Area*, demonstrates.

LAX COLLECTION METHODS

Inefficient administration of tax laws often insures continuing tax delinquency and misuse of land. Information on the tax per acre of farm land was available for about thirty municipalities. Marked variations were observed in the tax per acre for land in neighboring municipalities with approximately the same potential soil productivity. This would seem to confirm what is already well known to agricultural experts: taxation of rural lands at present seems to have no uniform relation to actual or potential income. The entire taxing procedure is often so confused and hopeless that pointing out to the officials of one township that the land area assessed exceeded by 12,500 acres the area of the entire township could produce only the explanation that from time to time acreage was found in the woods which had not appeared on pre-

vious records. The age of discovery, so long past, is not yet over in the rural townships of New Jersey.²

In many instances, after eliminating other factors, sharp contrasts in percentages of tax delinquency in contiguous municipalities where similar conditions prevailed left the board to assume that these variations in all probability were due to differing degrees of leniency in the collection of taxes and the holding of tax sales, or to factors not considered. In only one municipality of over one hundred under consideration had regular tax sales been held since 1930. In some townships, land has been delinquent since 1890 and never sold for taxes.

As a result of these findings certain immediate remedial measures come to mind. They merely play upon the surface. Other suggestions, cutting to the heart, embody the principles of rural zoning, but are less likely to be warmly received within the next few years. They will require in New Jersey and many other states persistent education, and perhaps a deeper trough of the depression, to become law.

Tax rates and assessments on rural property in New Jersey are inequitable. Tax assessments probably should no longer be set

²Nor is the Garden State alone distinguished for its haphazard record-keeping. Mr. C. O. Henderson's study of tax delinquent and reverted lands in Mississippi, like similar reports for other states, is primarily an inventory of serious administrative deficiencies.

on a narrow municipal or township basis, but should be centralized over a wider area, possibly the county. Tax rates might differ for rural and urban areas. Such revisions in procedure should be made, however, only as a result of more adequate research than now exists to determine the best alternatives, policies, and methods.

Penalties should be attached to mandatory tax sale provisions to eliminate the possibility of leaving such important matters to local discretion. The experience of Massachusetts has established the wisdom of safeguards. Since many municipalities contain large areas of unproductive tax-delinquent land, they are faced with the necessity of themselves buying up tax title liens. Despite undoubted hardship, such property cannot be considered an asset in private hands and should be taken up and foreclosed at once. Where the extensive withdrawal of taxable lands would tend to cripple an administrative unit, then the realignment of political subdivisions is inevitable. The consolidation of public services and realignment of municipal boundary lines in New Jersey is now fortunately receiving the attention of the Princeton Local Government Survey.

STATE ACQUISITION URGED

Since New Jersey contains approximately two million acres of non-productive rural lands, almost a half of which is tax delinquent, the State Planning

Board has urged the state to acquire liens held either by private individuals or by municipalities when the lands represent desirable additions to present state parks and forests, or state refuges, fish and game lands, and watershed areas. Other large parcels might be made the nuclei of additional public areas.

The acquisition of tax title liens is useless, however, under existing methods for foreclosing the right of redemption and obtaining clear title. In New Jersey the cost of foreclosing tax delinquent property of little value ranges from \$200 to \$400. This is due principally to the expense of title searches. Another item of expense is the provision that only parcels in the same ownership may be foreclosed in one proceeding at the same time.

In proceedings barring the right of redemption on property of little economic but great public value, upon which tax title liens are held by municipalities planning to acquire the land for public purposes, it would be to the public interest if barring the right of redemption might be effected through proceedings *in rem*. Such a procedure is provided for in Article X of the *Model Real Property Tax Collection Law* drawn up by the National Municipal League. It is an ancient procedure and one upheld by the Supreme Court of the United States in the case of *Leigh vs. Green*. New York acquired much of the old forest land in the Adirondacks and Catskills under

a form of *in rem* procedure. The State Planning Board suggested resort to this procedure after rural property needed for public purposes had been delinquent for six or more years. The Committee on Municipal Law of the New York Bar Association, under the chairmanship of Arnold Frye, in a bill it sponsored before the New York Senate in 1938, limited the *in rem* procedure to unimproved property of low economic value on which a tax district held liens at least four years old. To keep down the cost, the committee provided that any number of parcels might be included and joined in one action.

Even should such suggestions for facilitating foreclosure and public ownership be enacted into law, the misuse of much land outside the guardianship of the state would still continue. The planning board urged, in the absence of rural zoning, that the county administrations, county agricultural agents, the State Agricultural Experiment Station, and the State Department of Agriculture cooperate in discouraging the use of certain types of land for agricultural purposes and in keeping other types open only to agriculture of a particular kind.

WISCONSIN FINDS SOLUTION

This rational process, when approved by law, is rural zoning. The only strictly rural zoning ordinances operating in the United States today are those in the twenty-five northern and central counties of Wisconsin. More

than five million acres of land unfit or unneeded for agriculture have been restricted. Rural zoning in Wisconsin, always preceded by long months of discussion and study, and finally enacted only with the approval of the citizens of the county, must be described as an unbelievable democratic victory of organized knowledge over individual ignorance.

Until 1933, only urban Milwaukee County had taken advantage of the enabling act of 1923 and created a zoning ordinance in 1927. In that same year, the legislature, faced with bankruptcy in the cut-over towns of the northern and central counties, appointed a legislative committee on forestry and public lands. That committee reported: "Both the orderly development of northern Wisconsin and the need for reducing expenditures because of tax delinquency require that counties be given the authority to control development. Counties should have the right to give every possible aid in agricultural zones with the aim of building up prosperous farming communities. But they should also have the right in sections of isolated farms, with heavy tax delinquency and numerous abandoned farms, to set such areas aside as forest and recreation zones, and be empowered to control the construction of more roads and schools."

The legislature in 1929 amended the urban county zoning law to permit Wisconsin counties, by ordinance, to "regulate, restrict, and determine the areas

TAX DELINQUENT RURAL LAND

IN NEW JERSEY

As of January, 1936

LEGEND

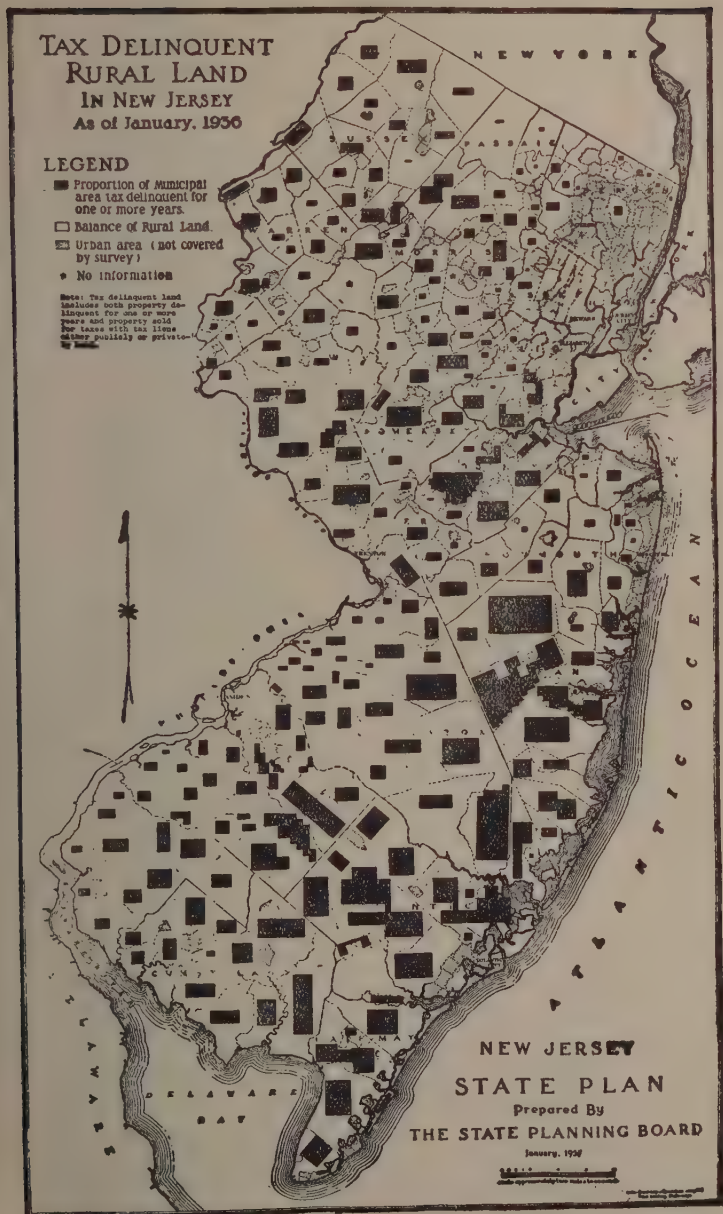
■ Proportion of Municipal area tax delinquent for one or more years.

□ Balance of Rural Land.

▨ Urban area (not covered by survey)

• No information

Note: Tax delinquent land includes both property delinquent for one or more years and property sold for taxes with tax liens either publicly or privately owned.



within which agriculture, forestry, and recreation may be conducted."

Three classes of counties exist in Wisconsin which require different types of zoning ordinances. The cut-over, submarginal northern and central counties are the only counties which have as yet adopted zoning ordinances. In these areas three zones are designated: (1) a forestry district, prohibiting agriculture and all other uses involving year-long residence, but permitting forestry and seasonal recreation; (2) a recreational district permitting forestry and all forms of recreation, including year-long residence, but prohibiting agriculture; and (3) the unrestricted or agricultural district with no limitations on land use.

The Wisconsin State Planning Board is now concerned with zoning in a number of counties which are not predominantly urban but which do not have the same characteristics as the cutover and submarginal counties—the in-between counties.

CITIZENS HAVE THEIR SAY

In the course of preparing the zoning ordinances and map, a democratic procedure has been developed. The county zoning committee holds local educational meetings in school houses, town halls, and private homes. Every landowner and resident is able to learn how zoning will affect him as well as the community. These meetings lay the groundwork for

intelligent support of the ordinance in the future.

To give each citizen an opportunity to register formally his approval or dissent, an official public hearing is scheduled in the courthouse. After these meetings and hearings, the county zoning committee makes an official draft of the ordinance and a complete map showing the districts set aside for forestry and recreation. After official approval by the county board, the ordinance and proposed map are ready for official and final consideration by the town boards. When these have been considered by the several town boards, and town officers have made any changes in the zoning map thought desirable and in the interests of the community, the ordinance and map come before the county board for a final vote. Following a favorable vote, the ordinance becomes effective upon publication. The County Board of Supervisors is charged with the responsibility of administering and enforcing the zoning ordinance. The long months of education and discussion are thought of in Wisconsin as an investment in adequate administration.

Actions beyond those contemplated in the zoning ordinances have been taken to safeguard the future of both land and people in Wisconsin. Zoning committees in a number of counties have initiated, and county boards have approved, many exchanges of land between private owners and the county to block holdings for bet-

(Continued on Page 302)

Tennessee Experiments with the Merit System¹

By **WILLIAM H. COMBS**
Michigan State College
and
WILLIAM E. COLE
University of Tennessee

Lack of success of merit system attributed to lack of support on the part of administrators and people; education and understanding of merit principle needed.

TENNESSEE'S 1939 legislature has just added another chapter to the history of the merit system in that state, which began with the passage of the civil service law of 1923. Just how effective the new law will be, however, it is not possible to forecast at this time.

With the enactment of the reorganization bill in 1923 people in Tennessee had high hopes that an era of good government would follow. Not only had the state's administrative services been revamped along modern and efficient lines, but there was also provision made for the introduction of merit principles in its personnel administration, for the newly created

Department of Finance and Taxation was to supervise and administer personnel.

Specifically, this department was empowered to determine the classes, grades, and titles of all employees of the departments, fix salary scales, certify pay rolls, transfer temporarily employees from one department to another, approve plans for vacations with pay, and conduct investigations in order to formulate plans for the better coordination of the work of all departments.² Nothing of note, however, was ever done towards complying with these sections of the reorganization act and they were repealed prior to the enactment of the 1937 merit system law.

Thanks to the agitation and work of many civic organizations, the political movement for a real merit system was revived by Gordon Browning, one of the Democratic candidates for governor in the primary election in 1936, just thirteen years after the first effort was made. In 1937, at the request of the Governor, the legislature enacted the merit system act of Tennessee which laid down broad and general concepts looking to the creation of a merit system of personnel administration for the state. Its outstanding characteristics were: (1) the adoption of the single administrator type of

¹The writers are indebted to Steve Cave, director of personnel, Franklin O. Rouse, formerly senior personnel examiner of the division and now supervisor of personnel and training in the Division of Unemployment Compensation, and MacDonald Salter, assistant director of personnel, for the technical information which they furnished relative to the operation of the Division of Personnel.

²Michie, *Annotated Code of Tennessee*, 1932, sec. 265; *Public Acts of Tennessee*, 1923, ch. 7, sec. 5-6.

organization whose office was made a "part of the works" of the executive department; (2) the requirement of a defensible recruitment process based upon competitive examinations; (3) the supervision of employees; (4) the conduct of in-service training programs; (5) the formulation of a career system; (6) the establishment of good working conditions; (7) the development of service and promotional rating schemes; and (8) the use of a wide open back door for demotion and for dismissal of employees of proven incompetence.

The act was concise, definite, and free from lengthy sections regulating minutely administrative details and permitted the administrative agent a considerable amount of freedom in the establishment of procedures and practices. Moreover, it followed, with minor exceptions perhaps, the principles deemed to be most sound from the standpoint of theory and practicability, and it has been called one of the best merit system acts in effect in the country.*

VOLUNTEER PERSONNEL DIVISION

The merit system bill, which created a Division of Personnel in the new Department of Administration, was signed by the Governor on February 10, 1937. Prior to that time, in fact since the primary election in August 1936, a "personnel division" under the direction of voluntary workers had been in operation in hotel

rooms formerly used as campaign headquarters. This organization distributed printed application forms many of which were filled out and returned. Soon after funds were made available in March a director of personnel, a senior examiner, and a personnel technician were appointed, the files and staff of "free" clerical help—about ten persons in all—were moved into other temporary headquarters, and the more than 15,000 applications were assembled by counties, an operation which only complicated the task of locating the most competent persons for the various vacancies soon to be filled.

Beginning in April all pay rolls were ordered into the Personnel Division for review and certification. From the files of the division and the state departments and services there was compiled a list of all applicants and incumbents then existent with some reference to classification and position.

This completed employment report showed that on April 1, 1937, 12,339 persons not formerly employed by the state were seeking employment under the merit law and approximately 3,000 state employees asked to be retained. Up to April 1st not more than one hundred dismissals and appointments had occurred under the Browning regime, but during the following months numerous dismissals and appointments were made without following the procedure of competitive examina-

**Public Acts of Tennessee, 1937, ch. 54.*

tions for determining either the incompetence of the incumbent or the fitness of the applicant.⁴ From April 1, 1937, to the summer of 1938 there was a turnover of 49 per cent in state employees which did not, of course, include the 1,500 to 1,600 new positions in welfare, unemployment compensation, conservation, and elsewhere. The records will show approximately 3,200 appointments including regular, temporary, and re-appointments, and a little more than 1,600 terminations.

In this melee attendant upon the filling of offices following the close of the legislative session the Personnel Division was powerless to act in accordance with sound procedure. The division was understaffed and was given only about \$21,000 for equipment and operating expenses for the first year. Hence, it could not prepare and administer assembled competitive examinations nor secure the services of outside expert aid for such work.

POLITICAL APPOINTMENTS DEMANDED

Moreover, the administrators were confronted with positive demands of their superiors and politicians for the appointment of "desirable" persons. They had the unenviable task of breaking down old and setting up new and equivalent practices in all the offices, a piece of work which often brought conflicts between their agency and those individualisti-

cally inclined employers and politicians who for various reasons resented interference.

Because of this pressure of the politicians, which was backed up by the people who were not yet sold on the idea of the practical application of a merit system divorced from politics, the administrators had to adopt a negative rather than a positive administrative policy. They found it necessary to limit their activities to the keeping of a system of records and to the making of the Personnel Division a kind of clearing house for personnel work.

It should be noted, however, that there were some exceptions to the irregular practices mentioned above. In filling positions in his department the commissioner of institutions and public welfare was not forced to take, in all cases, politically desirable people and persons backed by politicians who were without adequate training, experience, or other personal qualifications. Moreover, in the fall of 1938, with funds supplied by the federal government, there were set up competitive examinations for the 400 positions, classified into forty-three classes of jobs, in the Unemployment Compensation Division. This was the first department of the state government to have administered for it a series of assembled competitive tests under the supervision of the Division of Personnel.

Finally, when the press of business attendant upon the satisfac-

⁴*Nashville Tennessean*, April 13, 1937.

tion of the demands of the "faithful" of the faction in power had subsided, it was possible to exercise greater care and to follow a technique in keeping with the merit principle in the selection of personnel, especially for the technical positions.

ACCOMPLISHMENTS

Despite the apparent failure of the recruitment system there were several worthy accomplishments under the law. Realizing the value of classification and compensation plans to a sound personnel program, as well as to the simplification of fiscal control, the personnel director began to effect such plans on May 22, 1937. Neither time nor the condition of the staff would permit the usual procedure of studying each of the four to five thousand jobs involved, for the budget director had called for a salary schedule for all positions by July 1st. The personnel director, therefore, had to call upon the various employees to furnish the required information upon which to devise a classification plan.

While it was recognized that no classification plan based upon scientific data had been effected, all felt that the efforts made to secure the plan, such as it was, had brought beneficial results in that a confusing and bewildering array of titles for pay roll purposes had been eliminated.⁵

The compensation plan which

followed, under the condition of no real classification plan, may be regarded as one of the greatest accomplishments under the act. A most chaotic condition was found relative to the compensation plan then in use. The pay of employees more often depended upon custom or the ability of the person to bargain individually with the employer than upon the responsibility of the position. All of this was remedied by the adoption of a compensation plan in which attention was paid to the type of position, the prevailing wages in private industry, and the ability of the state to pay.

For the first time in many years it was possible to determine accurately who were on the pay rolls of the state and their rate of pay. Generally the state scale of pay was higher than the scale for private enterprise for positions in the lower brackets. In the higher brackets, however, the scale for private enterprise was higher than that of the state, a condition which was caused by the ceiling of \$5,000 per year for the commissioners of the ten departments whose salaries are fixed by the legislature. In the final analysis the salary schedule assigned increases to 40 per cent of the state positions as against reductions in 20 per cent.⁶

Rules and regulations relating to personnel transaction were established which improved great-

⁵Personnel Circular No. 1, May 22, 1937. Files of State Personnel Division.

⁶*The Merit System, Act and Rules*, Bulletin No. 1, Department of Administration, Nashville 1938, rule IV.

ly this phase of the work. Promotions now rested upon the successful passage of qualifying tests, and promotional appointments were made for a six-months probationary period the same as for first appointment. Demotions and suspensions were handled by the employer subject to the approval of the personnel director. Lay-offs were permitted for lack of funds, work, or in the interest of economy. A regular scheme was devised for the checking of pay rolls. An elaborate set of rules was promulgated for annual, sick, and special leaves whereby requests for leave had to be made of the Personnel Division through the employers. This system eliminated the great amount of confusion which had previously prevailed in the state services.

Dismissals could be made by the employer "for good cause" and "for the good of the service," provided the employer filed a written statement with the personnel director showing the cause for removal, and the dismissed employee had the right to file an answer. If the personnel director found the charges unwarranted, he might approve the reappointment of the employee in the same position or in the same class of positions, but not in the same department. Such reappointment had to secure the approval of the appointing authority of the department to which he was assigned in order to be valid.

"Good cause" and "the good of the service" were not defined in

the law or the administrative rules. Neither have there been any court cases on the subject of removal in which these terms have been elaborated. To date some removals have been made on the ground of "inefficiency."

No retirement system was set up by the law, but it did provide that the personnel director should make a thorough investigation of the possibilities of the establishment of a system of retirement benefits and report the results to the 1939 session of the state legislature, an action which was never accomplished.⁷

It is too early at the present time to determine exactly the fate of the merit system under the present administration. A new reorganization bill has been enacted which gives to the governor the power to dismiss any employee in the state service other than those who are elected to office, and to fix the salary of any such employee. This is certainly a startling deviation from the usual practice. Moreover, the new act provides that state employees shall be appointed by the administrative heads of departments from the list of eligibles furnished by the Department of Personnel subject to such minimum qualifications as to efficiency as may be established by executive order of the Governor or by law. The director of personnel is to be appointed by the Governor and hold office at his pleasure.⁸

⁷*The Merit System, Act and Rules*, pp. 29-30, 32-34.

⁸*Public Acts of Tennessee, 1939*, ch. 11, secs. 6, 7, 15.

When Governor Cooper went into office in January 1939, he asked the General Assembly to repeal the act of 1937. Following this repeal, a new civil service bill was introduced⁹ and passed without any substantial opposition.

The outstanding merit and the great difference in the 1939 act, as compared with the 1937 act, is that the latter provides for the establishment of a State Civil Service Commission of five members in the Department of Personnel. The commission is to be appointed by the Governor and any member is subject to removal by the Governor. The members are paid a per diem of \$15 while in attendance at meetings, but no member is to receive more than \$500 in any given year.

The commission is to pass upon the recommendations and policies of the state personnel director. It is assumed that the commission will also have general powers over the formulation and supervision of competitive examinations for the purpose of making up eligibility lists. The commission may also hear grievances made by discharged employees.

Broader powers are given the Governor in the 1939 act than were given in the 1937 act. For instance, after listing a long series of unclassified positions not subject to the jurisdiction of the act, the Governor is given authority to list as unclassified "all other positions determined by the Governor within nine months next after the

passage of this act." This constitutes very wide powers as far as the exclusion of positions or divisions from the classified service is concerned.

It is not possible at this time to judge the effectiveness of the new act, as it will not be placed in operation for some weeks. Just now there is the customary turnover in employees which has characterized the inauguration of Tennessee governors for decades.

RECOMMENDATIONS

On the basis of the operation of the 1937 act and the apparent content and intention of the 1939 act, some very grave deficiencies ought to be corrected.

(1) A definite and adequate appropriation of at least five dollars per year for each position over which the agency has jurisdiction, which is an amount generally believed to be a minimum standard of financial support, should be given the Department of Personnel.

(2) The removal in part of undesirable political influence might be accomplished by making two or three revisions in the law. Greater limitations should be placed upon the Governor's power of appointment of the director of personnel either in the form of higher and more definite qualifications or by requiring a choice to be made from those qualifying under a competitive examination conducted by a bipartisan commission. Moreover, the requirements that positions in the state service be filled so far as

(Continued on Page 324)

⁹House bill 1299, chapter 211, Public Acts, 1939 (passed March 10, 1939).

County Road Administration Proves Efficient under Manager Plan

Henrico County, Virginia, finds public works activities benefited under new setup; increased mileage and improved roads reported.

By TAZEWELL ELLETT
Henrico County Engineer

DURING the year 1611, four years after the landing of the colonists at Jamestown, in Virginia, Sir Thomas Dale established a town about ten miles below the present site of the city of Richmond and named it Henricopolis in honor of Prince Henry, the eldest son of James I. In 1643 Virginia was divided into shires, one of which was named Henrico, to commemorate the town of Henricopolis which had been destroyed in the Indian massacre of 1622.

The shire of Henrico was so large that ten counties have since been carved out of it; but in spite of this division the present county of Henrico, at the head of tidewater on the north bank of the James River, has an area of 255 square miles. The population in 1920 was approximately 19,000; by 1930 it had increased to 30,000, and at present it is estimated at 37,000.

In 1922 the Henrico County Board of Supervisors established a county system of roads, embracing the main "through" and "connecting" roads. This was done for the double purpose of complying with a recently enacted state law which provided that counties should so designate the roads on which state funds could be spent, and distinguishing between the roads maintained and those not maintained by the county.

Each of the county's four supervisors, with funds derived from a county road levy and state aid, developed a district road force, with equipment, and directed the work through a road superintendent. This arrangement was continued until July 1,

1933, when the Board of Supervisors appointed a county engineer to take charge of the road forces and to perform such other duties as might be assigned him.

On September 19, 1933, the county, at a special election held in compliance with an act of the general assembly passed in 1932, adopted the county manager form of government. The 1932 act enabled any county, on a vote of a majority of its qualified voters, to adopt either a county manager or a county executive form of government. At the general election in November, 1933, a Board of Supervisors was elected, and on March 15, 1934, the county manager form became effective, there having been some delay because of litigation in the courts. Willard F. Day, city manager of Staunton, Virginia, was selected by the board as county manager, and he is still ably serving in that capacity.

Consolidation of Districts

One of the first changes made on adoption of the manager plan was the consolidation of the road forces into a county unit. This consolidation made it possible (1) to pool all equipment and to make use of it, or any individual piece, when and where needed; (2) to establish and operate a county equipment depot for the purpose of servicing and keeping in repair the trucks and equipment of the road force, as well as thirty-five school buses, ten police cars, and the motor equipment of all the other county departments; (3) to operate a gravel-washing plant for the county as a whole; (4) to establish and operate two plants for the pre-mixing of asphaltic surfacing material; and (5) to plan and carry out a more systematic and better coordinated yearly program of road work with greater efficiency.

The status of the county engineer under the manager plan has not been adversely affected. He is appointed by the manager

instead of by the Board of Supervisors, and therefore reports to and is responsible to him. The engineer has the advantage of consultation with and the advice of the manager whenever desired. Citizens desiring to request service or register complaints may call on or correspond with the engineer, but they have the very great advantage of being able to confer with the manager, who transmits such a complaint or request for service to the engineer on a "work order" form. A copy of this form is retained until the original is returned with a report that the work has been done, or a reason for not doing it. This procedure provides a follow-up system that insures certain, prompt, and satisfactory response to the public. The availability of the manager, a full-time executive, is a distinct asset in public relations.

In order to properly maintain, overhaul and paint county road and motor equipment, an equipment depot was established by fencing off one and one half acres of the county farm and building a fireproof garage and repair shop. In addition to this main building, the county constructed an oil house, a storage shed, a grease pit, a washing platform, and an underground storage tank with pump for gasoline, the whole representing an investment of approximately \$10,000.

The depot is operated by a force of eight men. In addition to the usual shop equipment, the depot operates a one and a half ton truck fully equipped for the use of a traveling mechanic in repairing and inspecting equipment of all county departments on the road. This prompt road service increases operating time, and decreases expense by eliminating otherwise distant trips to and from the depot. Inspections on the road reduce lost time and repair costs by detecting and remedying causes of trouble before the trouble occurs. During the fiscal years 1935, 1936, 1937 and 1938, the number of repair jobs done on county equipment was 974, 1,263, 1,706 and 1,079 respectively.

By doing the work with county labor, by purchasing materials and supplies through the county purchasing agent, by taking advantage of cash discounts, and by competitive bids, the county has fully justified the establishment of the depot.

Henrico County is one of the three counties in Virginia that maintain county systems of roads. The Henrico system totals 414 miles, of which 76 per cent has been surfaced with treatments of asphalt and stone or asphalt and gravel; the remainder has bank-gravel surfacing. During the four-year period from 1935 to 1938, a total of 309 miles of road has been so surfaced under construction or resurfaced under maintenance. In addition to the county system, Henrico County has 119 miles of state roads, maintained by the state, making a total of 533 miles of road in the county maintained with public funds.

Road Financing

No local tax levies are made for road purposes in Henrico County. The county spends its share of the state gasoline tax allocated by state law, and this is the only source of revenue. Expenditures in the last four years have been as follows: 1935, \$147,100; 1936, \$144,500; 1937, \$130,300; 1938, \$155,900.

Two bond issues were floated by the county prior to the change to the manager form of government. The first was an issue of \$145,000 of 5 per cent bonds maturing in \$10,000 lots annually. The former government paid off \$63,000, leaving \$82,000, of which the county while under the manager form has paid \$42,000. It is planned to pay off the remaining \$40,000 by 1942.

The second was an issue of \$175,000 of 5 per cent bonds maturing in \$5,000 and \$10,000 lots annually. This issue had been reduced \$45,000 when the manager form of government became effective, and has since been further reduced by \$25,000, leaving \$105,000 outstanding, which it is planned to pay off by 1950.

The provisions of two acts of the Vir-

ginia General Assembly may be emphasized to show how Henrico County retained control of its roads while other counties surrendered control, and in what ways the county-manager act affects this control.

What is known as the Byrd road law, passed March 31, 1932, established a secondary system of state highways, consisting of all county roads in the state. This law applied to all one hundred counties, but individual counties were permitted to withdraw from its provisions by a popular election. The law further provided that any county withdrawing would continue to receive from the state the amount of the motor-fuel tax to which it was entitled for the calendar year 1931, with normal increase, if any, and would retain control, supervision, management, and jurisdiction over its public roads under existing law.

On August 9, 1932, the date set for the election, the citizens of Henrico County voted to withdraw.

Manager Setup Efficient

The act of the Virginia General Assembly setting up the county manager form of government provides that the powers of the county as a body politic and corporate shall be vested in a Board of County Supervisors, to be elected by the qualified voters of the county. The board is the policy-determining body, and it appoints the county manager.

Where the county manager plan is adopted, the manager is the administrative head of the county, and he is required to devote his full time to the work of the county. The activities or functions of the county are distributed among the following general divisions or departments: finance, public works, public welfare, law enforcement, education, records, health, assessments, and farm and home demonstration.

In counties that retain control over the system of county roads, the county engineer is the head of the department of public

works, in charge of the construction and maintenance of county roads and bridges, drains, and all public buildings, storerooms, and warehouses. He has custody of such equipment and supplies as the Board of Supervisors may authorize. He is required to exercise all the powers conferred and perform all the duties imposed by general law on the county road engineer; in addition, he is to perform such other duties as may be imposed on him by the Board of Supervisors.

What are some of the things that have been accomplished under our plan of management and road administration? It may be said definitely and emphatically that in Henrico County there is no diversion of road funds. The county roads are in increasingly better condition, and there are more of them. The net debt of the county has been considerably decreased. During the four years of county managership, the county has lived within its income. The 1938 tax rate is the lowest in eleven years in three of the four magisterial districts, and little opposition now exists to the county manager form of government as such.

EDITOR'S NOTE. Excerpts from "Road Administration under the County Manager Plan," appearing in *Better Roads* for March 1939.

GEORGIA COUNTIES OVERSHADOWED

(Continued from Page 274)

either by any large number of people. There is one ray of hope—a recently organized Citizens Fact Finding Committee. Its members apparently are seeking accurate information and intelligent solutions to Georgia's problems irrespective of all vested interest, whether they be public or private.

Arkansas Abandons the Merit System

By HENRY A. RITGEROD
Bureau of Municipal Research
University of Arkansas

Job-hungry politicians and lack of organized citizen support among the reasons given for repeal of civil service law after brief but stormy career.

WHEN Arkansas adopted the merit system in the spring of 1937 it was hailed as the first southern state to embrace an enlightened system of personnel administration.¹ But the honeymoon with civil service ended abruptly and unceremoniously. As reported briefly in the last issue of the REVIEW, the Arkansas General Assembly passed two separate acts, each repealing the merit system. Both became law without the Governor's signature.

Bills to repeal the Arkansas merit system were introduced in both the House and Senate on the first and second legislative days. On the fourth legislative day—under a suspension of the rules—the House withdrew one of these repeal acts from committee and passed it by a vote of sixty-four to twenty-eight. Two days later the act passed the Senate by a vote of twenty-two to twelve. Thus, in the first week of the session, civil service was outlawed.

But the impatience of the General Assembly with the merit system, apparently, was still not satisfied, for the act repealing civil service carried no emergency clause. Civil service was still to be operative until June 8, 1939. To meet this "emergency," the Senate, by an overwhelming vote, passed another repealing act during the middle of February. This time the measure carried an emergency clause. A few days later the House promptly concurred in the action of the upper chamber. The merit system was

now no longer a curb on patronage ambitions.

The speed, lack of consideration, and large majorities accompanying the repeal indicate that it was, in a legislative sense, a popular measure. Its defeat cannot be explained solely as the result of a conspiracy of job-hungry politicians. Had there been any appreciable dissent from the cross-roads and village precincts, the legislature would not have acted quite as summarily.

From the beginning civil service enjoyed little active popular backing. Adoption of the merit system was almost the single-handed effort of one of the most progressive governors which Arkansas has ever had—Governor Carl E. Bailey. It was not the result of widespread popular demand. Nor were there any organized groups—civil service leagues, taxpayers associations, or other pressure organizations—to promote the cause for civil service and counteract the attacks of its opponents. Arkansas has its quota of special interest groups which effectively influence public opinion and the course of legislation in their own behalf. But civil service had no such allies to neutralize the steady stream of criticism against it by political interests.

The merit system was also victimized by an unusually tense political situation accompanying its adoption. And whatever prestige the new personnel system may have developed during the first months of its operation was dissipated by a series of unfortunate circumstances.

Civil service emerged in 1937 on the heels of a bitter and grueling primary for the governorship in which Governor Bailey defeated his two major opponents by a close vote. From the first, therefore, the act bore the stigma that it was a means by which the Bailey supporters hoped to perpetuate themselves in office. When the administration, which had been elected by only a small plurality, "blanketed in" its own supporters the system received its first black eye.

¹See "Arkansas Tries the Merit System," by Estal E. Sparlin, NATIONAL MUNICIPAL REVIEW, September 1938.

Three months after the merit system began operation, the state employees were confronted with the pressures of another campaign—that between the Governor and Representative John Miller, in October 1937, for the seat in the United States Senate made vacant by the death of Joe T. Robinson. In the heat of that campaign some of the state employees were accused of participating in politics despite the fact that Governor Bailey issued a special statement reminding them that, under civil service, they owed no political obligations. To what extent they did or did not participate is immaterial. The accusations were, none the less, discrediting factors to the new merit system.

For the tremendous job which confronted it, the new Civil Service Commission was given a paltry \$11,800 per year for operations. Consequently, with a very limited staff, the commission could not establish eligibility lists as quickly as may have been desired. During the greater part of its first year, a large number of vacancies had to be filled by temporary appointments which, of course, were influenced by political considerations. The law also provided for a system of "merit ratings" under which those incompetent employees who had been "blanketed in" during June 1937 could have been eventually eliminated. Lack of funds, however, prevented these provisions of the law from being executed.

As a result of a combination of all these factors, the new merit system now became an easy target in the primary campaigns during the early summer of 1938. Politicos running for the 1939 legislature campaigned on the issue of repealing civil service. The system was pictured as discriminatory to the smaller counties and rural sections of the state. Pulaski County (Little Rock) was siphoning-off all of the jobs. Charges were voiced of political considerations in appointments. There was no end to the

criticism which was conjured up against the law and its administration.

The attack was effective. Even some of the would-be friends of civil service were misled by these charges. No movement of any kind was under way to counteract them. A usual comment on the personnel system was, "I'm for civil service, yes; but not THIS kind of civil service." Yet, the Arkansas law, with some slight modifications, perhaps, was as acceptable as any similar state civil service statute in the country.

In retrospect, the Arkansas merit system—like an unwanted orphan child for whom there was no responsible guardianship—was subjected to the rigors of rough and tumble politics before it had learned to walk.

COLORADO SPRINGS THRIVES

(Continued from Page 278)

ager's secretary acts as the secretary of the commission as well. The powers given the manager by the charter amendments of 1921, coupled with his ability to secure the coöperation of the civil service commissioners, have made it possible for him to act in the capacity of a director of personnel.

That these achievements are due to the authority and legal position accorded the manager under this system cannot be denied. On the other hand, the efficiency of the manager and the continued alertness of the citizens have also played a very great part in maintaining over a period of nearly eighteen years that type of government of which the Citizens' Committee boasts.

Boston Finance in a Research Bureau Capsule

***Popular Idiom for Northwest Research
New York State Bureau Causes Furor
Voting Machines Investigated
Researchers Utilize an Epidemic***

IT would be hard to overestimate the importance of a March 1st report of the **Boston Municipal Research Bureau** labeled *A Decade of City Finances, 1929-38*. In sixteen legible pages—capsule form—the bureau has done for Bostonians who are acute enough to realize it a monumental service.

Discussions of municipal finances are common enough, but this one is unique because it gives the whole picture. It does not, for instance, cite a 1938 tax rate, and point with alarm or the reverse; it does show the 1938 tax rate in a comparative setting of tax rates for other years and other cities, thus enabling the reader to gape at more than a mere figure out of context.

Most topics in the report are treated that way, from two points of view: the trend in Boston over a period of years, and a comparison with similar statistics for comparable cities. There are also graphs and tables which, to civic-minded local people and to municipal researchers everywhere, should prove a veritable mine of basic data. The bureau's introduction to its report is perhaps the best summary description of it:

"Inquiries for basic information dealing with Boston finances have motivated the preparation of this financial manual discussing the more important trends of the past decade. The document is freely available to all interested groups and individuals.

"Throughout the report the approach has been factual in character. Nevertheless, the information presented will inevitably be the basis of any program for correcting the difficult problems which have arisen.

"Part One of the manual presents a summary computation of the tax rate in recent

years. Parts two and three contain analyses and discussion of the expenditures and revenues, respectively, which affect the tax rate. Part Four is given over to a survey of Boston's debt and debt service costs. The final section presents additional major topics which have a vital bearing on city finances.

"Boston's high governmental costs have been thrust upon a shrinking property tax base. While the tax rate has climbed upward, large borrowing has occurred to balance income and outgo. Savings have been inadequate to meet adverse developments typified by the growth in welfare and state-imposed expenses. Adjustments have been largely confined to regular city departments, as opposed to school, county, and police agencies."

Regional Research Blossoms

The first region-wide attempt to translate into a popular idiom the findings of research agencies in the Pacific Northwest is now being undertaken by the **Northwest Regional Council**, a private non-profit organization with offices recently established in Portland, Oregon. News of the undertaking is forwarded by John Blanchard, former National Municipal League staff member, who is acting as technician for the Northwest Regional Council.

Major functions of the council are to stimulate greater public awareness of basic Northwest problems, and to make available at all educational levels stimulating material about significant developments in the fields of conservation and management of natural resources, public welfare, and public administration.

Other important objectives are: (1) to provide machinery for conference and consultation among the advisory, research, planning, and educational agencies concerned with the orderly development of the

Pacific Northwest; (2) to foster co-ordinated research in the natural and human resource fields; (3) to act as a clearing house for the interchange of bibliographic and other technical data of a regional significance; (4) to encourage extension of sound public service training facilities and to make known the training required and opportunities available for career service in the various agencies of the federal, state, and local governments; and (5) to assist by means of publication and grants-in-aid specific research of a highly significant character and primarily regional in scope.

Indicative of some of the council's activities during its first six months of operation are:

Publication of *Regional Planning in the Pacific Northwest, A Memorandum*, by Lewis Mumford.

Collection of data for a bibliography of completed and "in progress" research in the fields of resource use and management, planning, and public administration in the Pacific Northwest has been completed. Organization and classification of this material is now under way. Publication is expected by June 1st.

Preparation of a pictorial treatment of the problems occasioned by the heavy migration of peoples into the Northwest region. This picture book is designed for use in the secondary schools and will have a popular interest. It is expected to be available by next fall.

Sponsorship of a conference among educational leaders, personnel directors of private industry, and representatives of various agencies concerned with youth problems to explore the possibilities of launching a research project into the occupational prospects for college graduates in the Northwest. It was the unanimous vote of this conference that the proposed survey be undertaken by the participants.

Consultation on public personnel problems in Washington, Oregon, and Idaho.

The council staff is composed of Kenneth O. Warner, director, formerly state person-

nel director of Arkansas; John B. Appleton, assistant director, formerly head of the Social Science Division, Scripps College, Claremont, California; and Mr. Blanchard, technician.

Research in the Public Prints

Less than a year old in point of organization, the **New York State Bureau of Governmental Research**, of which Abbett Pulliam is organizer and director, has recently stepped into the limelight of the New York governmental scene. At the same time that hearings were being held on a state budget which involved controversial new taxes, the bureau issued a series of bulletins comparing governmental costs in New York with costs in other states.

The result was a flood of newspaper publicity for the reports and a stream of editorial comment. Citizens divided hotly into pro- and anti-Pulliam factions, and even Governor Lehman felt it necessary to issue a statement on the subject.

Chief point of attack was the bureau's charge that 50.3 per cent of home relief recipients in an unnamed city are legally ineligible for aid. The director of the bureau refused to reveal sources for this statement, but promised to lay them before a legislative investigating committee if one were constituted.

It seems clear that the bureau's work will have at least some influence on the ultimate outcome of the legislature's deliberations, while one possible result may be a legislative investigation of local relief administration. The situation highlights once more the tremendous potentialities of the work of research bureaus, and their grave public responsibility.

Mechanized Voting

Thirty-five cities and counties were polled by the **Flint Institute of Research and Planning** to discover what had been their experience with voting machines. The institute summarizes its

findings in a twenty-five page mimeographed report dated February 1939. Besides the useful tabular resume of financial and other severely factual data, there are some interesting conclusions of a more general nature:

"Voting machines, by and large, have not affected voting habits of the American citizen, except possibly to make voting a pleasurable task, due to the facility with which it now can be done. Most cities find that it has not affected the type of individual nominated and elected to office, nor has it interested more citizens in political campaigns. If more persons participate in elections, it is because there are more persons of voting age, rather than because of any particular advantages of voting machines.

"Most city election officials express the opinion that their citizens thoroughly like voting machines. Curiosity first attracts them to use the new method; but experience has taught them that voting machines generally act in an efficient and quick manner. Election officials too seem enthusiastically in favor of the new devices. While they have particular objections to certain deficiencies of the present machines, the way in which their own election services have been more satisfactory have convinced them of the efficacy of this method of voting."

Cholera

Melodrama makes its bow in the February pages of the bulletin of the **Rochester Bureau of Municipal Research**:

"During the spring and early summer of

1832 the people of Rochester were living in fear. Asiatic cholera had made its appearance in Canada and was working its way into the state by way of the Champlain Canal. The Erie Canal—so lately hailed by the people of the village as the creator of prosperity and happiness—had become a menace. Although the danger was apparently discussed freely by the people, no indication of the impending crisis appeared in the press. On June 23rd, however, the *Genesee Farmer*, an agricultural weekly published in Rochester, pried off the lid of silence."

Although it may smack of the unfair tactics of movie serial makers, who leave the heroine dangling over a volcano with the heartless comment, "To be continued next Saturday afternoon," that's as much of the story as will be reprinted here. Let it suffice that the Rochester bureau tells the story of the epidemic with splendid dramatic effect, and refrains from moralizing until the last paragraph. Then it comments that the work of the village board of health in the cholera crisis "furnishes a starting point from which to measure a century's advance in the field of public health."

There could hardly be a better way of pointing up the exciting function of government in daily life. Couldn't this be the key to the problem of arousing public interest in government? The teachers' colleges are hammering away every day at the idea that teacher must start where the children are and then raise them by easy stages. Culturally speaking, the American citizenry is at the movies. Couldn't we pluck them upward and onward by showing them that government *is* movies?

Research Bureau Reports Received During the Month

Assessment of Property

Assessed Valuations, Rochester Bureau of Municipal Research, *Municipal Research*, February 1939. 1 p.

Valuation of Buildings, Citizens' Re-

search Institute of Canada, *Canadian Taxation*, February 24, 1939. 4 pp.

Borrowing

About an Anodyne (Short term borrowing). Detroit Bureau of Governmental

Research, *Just a Second*, March 7, 1939. 2 pp.

City of Buffalo Debt, Buffalo Municipal Research Bureau, *Just a Moment*, March 9, 1939. 1 p.

The City Debt, Rochester Bureau of Municipal Research, *Municipal Research*, February 1939. 1 p.

A Costly Borrowing (Sale of city's gas works rental). Philadelphia Bureau of Municipal Research, *Citizens' Business*, March 7, 1939. 2 pp.

Debt Service in Buffalo 1939-40 Budget, Buffalo Municipal Research Bureau, *Just a Moment*, February 16, 1939. 1 p.

New York's Debt Situation, New York State Bureau of Governmental Research, *Bulletin*, March 2, 1939. 2 pp.

City Charter

Public Improvements Under the Proposed Charter, Philadelphia Bureau of Municipal Research, *Citizens' Business*, February 28, 1939. 3 pp.

Courts

Justices of the Peace and Constables, Citizens League of Cleveland, *Greater Cleveland*, February 16, 1939. 4 pp.

Selecting Judges, Philadelphia Bureau of Municipal Research, *Citizens' Business*, February 21, 1939. 3 pp.

Employment Statistics

Analysis of Recent Economic Development in Minnesota on the Basis of Occupational Employment Statistics, Minnesota Institute of Governmental Research, *State Governmental Research Bulletin*, February 1939. 31 pp.

Finance in General

Bills Affecting Taxes, Expenditures, and Public Finance, Chicago Civic Federation and Bureau of Public Efficiency, *Bulletin* No. 165. 4 pp.

Governmental Costs in State, Counties, Cities, Towns, Villages, and School Districts, New York State Bureau of Governmental Research. 2 pp.

A Decade of City Finances, 1929-1938, Boston Municipal Research Bureau, *Report*, March 1, 1939. 16 pp.

Housing

Housing Funds and Authorities, Buffalo Municipal Research Bureau, *Just a Moment*, February 9, 1939. 3 pp.

Libraries

The Rochester Public Library, Rochester Bureau of Municipal Research, *Municipal Research*, February 1939. 1 p.

Merit System

The Merit System is Economical, Citizens League of Cleveland, *Greater Cleveland*, March 9, 1939. 1 p.

Property Tax

1938 Property Taxes in Chicago, Chicago Civic Federation and Bureau of Public Efficiency, *Bulletin* No. 166, March 1939. 3 pp.

Tax Delinquency Growing! Kansas City Civic Research Institute, *Kansas City Public Affairs*, March 2, 1939. 2 pp.

The 1939 Tax Bill, Duluth Governmental Research Bureau, *Green Paper*, February 27, 1939. 3 pp. (mimeo.)

Public Safety

New York's Costs Compared With Those of Other States, New York State Bureau of Governmental Research, *Bulletin*, February 27, 1939. 2 pp.

About the "Kelly-Off" (Firemen's hours and wages). Detroit Bureau of Governmental Research, *Just a Second*, February 28, 1939. 2 pp. (mimeo.)

Public Utilities

Street Railroad Com'r. Office, Citizens League of Cleveland, *Greater Cleveland*, March 9, 1939. 1 p.

Public Welfare

Relief Costs, W.P.A. Earnings and Public Welfare Costs, Buffalo Municipal Research Bureau, *Just a Moment*, February 16, 1939. 2 pp.

Relief Economy Possibilities, New York State Bureau of Governmental Research, *Bulletin*, February 17, 1939. 2 pp.

Reporting Direct Unemployment Relief Expenditures, Toronto Bureau of Municipal Research, *"Relief" Story* No. 2, February 21, 1939. 4 pp.

Schools

The Board of Education, Rochester Bureau of Municipal Research, *Municipal Research*, February 1939. 1 p.

New York's Costs Compared With Other States, New York State Bureau of Governmental Research, *Bulletin*, February 16, 1939. 2 pp.

School Salaries, Providence Govern-

mental Research Bureau, February 1939.

1 p.

Some School Comparisons, Kansas City Civic Research Institute, *Kansas City Public Affairs*, March 9, 1939. 3 pp.

State Aid Discriminates Against Schools Located in Milwaukee County \$500,000 Annually, Citizens' Bureau of Milwaukee. 9 pp. (mimeo.)

Sewers

Bases of Sewer Rentals, Buffalo Municipal Research Bureau, *Just a Moment*, March 9, 1939. 1 p.

State Aid

Should the State Budget Be Raised to Give More State Aid to Municipalities? New York State Bureau of Governmental Research, March 6, 1939. 2 pp.

State Labor Relations

State Labor Relations Acts, California Bureau of Public Administration, 1939 *Legislative Problems*, February 10, 1939. 30 pp. (mimeo.)

State Reorganization

State Fiscal Organization, California Bureau of Public Administration, 1939 *Legislative Problems*, February 15, 1939. 9 pp. (mimeo.)

Voting Machines

The Use of Voting Machines in Thirty-five Cities or Counties, by Max P. Heavenrich, Jr., Flint Institute of Research and Planning, February 1939. 24 pp. (mimeo.)

NEW JERSEY

(Continued from Page 286)

ter administrative purposes. When owners of undeveloped land in a forestry district did not wish to use their lands for permitted uses, the county has exchanged such lands for county-owned lands of equal quality located in an unrestricted district. The Wisconsin Conservation Department has also arranged similar exchanges of land with various counties.

Although rural zoning does not involve the purchase of land, several counties in Wisconsin have bought up the holdings of isolated

settlers. This was really an act of economy for it has been estimated that isolated settlers have cost their communities as much as \$1400 in excess of the taxes paid in any one year. The federal government, through the Farm Security Administration, and the state have also made possible the resettlement of families in established communities.

Out of this midwestern rural state of less than half the population of New York City has emerged in our time a device for balancing men against the land. As a result of the basic changes in the pattern of land use which this technique will eventually produce throughout the United States, the form and function of local government will inevitably be revised. Many units made obsolete by zoning will have to be consolidated, especially in communities with large areas of publicly owned land, low valuation, and a dwindling population. For the first time in the long history of man's occupation of the land, a sound legal basis has been laid for permanent change in the institutions of local government. As future events give planning the lie, and as men try breathlessly but always tardily to record the present, the forms of rural zoning may fall away or be transformed, but its basis in knowledge will always endure as a reminder of where the safety and welfare of mankind really lie.

EDITOR'S NOTE.—Adapted from address delivered before conference of Governmental Research Association.

Odds and Ends from Here and There

Mr. Pope Notwithstanding

Bad systems are at the root of many of our governmental evils. With a good system, even a mediocre man can do effective work; but a bad system will tend to discourage even a good man. WILLIAM B. HERLANDS, New York City Commissioner of Investigations, as quoted in "City Watchdog," by Webb Waldron, *Reader's Digest*, March 1939.

President Roosevelt on the Merit System

The growing complexities of modern government require the development of a trained personnel of men and women of outstanding ability, resourcefulness, and breadth of mind willing to devote their lives to the public service. Upon the development of such a personnel, the future of our democracy may in no small measure depend. From a letter to Supreme Court Justice Stanley Reed, as quoted in the *Civil Service Assembly News Letter* of March 1939.

The Sage of Emporia Discusses the County

The bill [recently introduced in the Kansas legislature] which, if it became a law, after the passage of a constitutional amendment, would permit county managers to be established in Kansas counties, is a good bill to discuss. The weak point of government in the United States is county government. Not that it is corrupt. Generally speaking, it is honest. But it is awkward and was established for another day and age. It is a hangover of the mid-nineteenth century. Not only should county government be simplified, not only should we put counties under county managers as we are putting cities under city managers, but in Kansas, for instance, the number of counties could be cut in three. We don't need them. . . .

To start on a county manager is a swell idea. The bill should go through. We should discuss the constitutional amendment, and in discussing it reveal the fact that county government under the set-up of a constitution adopted in 1861 is a sad mess. Honest county officers all over Kansas are trying to make something out of it in the various courthouses. The way to improve, the way to give these county officers a fair break in securing honest government, is to change the whole form and set-up of county government. WILLIAM ALLEN WHITE, *Emporia, Kansas, Gazette*, February 24, 1939.

To the Editor of the NATIONAL MUNICIPAL REVIEW:

I was much interested in Mr. Albert DeRoode's reply to my article regarding the courts and the merit system. I do not wish to protract the controversy further. But since Mr. DeRoode reargues with great skill certain cases which he has had before the Appellate Division, one of which is still pending and may still be appealed, I feel that some comment is justified.

The lower courts, staffed by Tammany Hall in this city, if they do not believe in patronage at least openly indulge in it. For instance, in receivership patronage, which is given out by the court itself, there has been a frank and open acknowledgment of political and family ties rather than an effort to give such awards on the basis of merit alone. Aside from the more disagreeable revelations that much of this patronage had been given to political heelers, it was disclosed in June 1937, for instance, that three close relatives of Justice Francis J. Martin, Presiding Justice of the Appellate Division, had received juicy plums amounting to \$11,562.43 in 1933. These were: James A. Martin, the Judge's brother, who got \$6,011.68 for thirteen jobs; Lawrence Martin, another brother whose forty-one appointments amounted to \$4,400.50; Adrian P. Burke, the Judge's son-in-law, who received \$1,150.25 from ten appointments.

Mr. DeRoode knows that for many years Frank Prial has been an outstanding civil service political leader. Prial held political appointments from Tammany Hall for nearly twenty years and during that time appeared on occasions for the extension of political appointments. For instance, in January 1926, he appeared before the commission urging the creation of new exempt positions in the comptroller's office and said: "... I am the greatest advocate of theoretical civil service, but we admit the practical things in this life."

Prial runs a civil service weekly newspaper for profit. There is nothing wrong in this but there are times when the profit motive and the merit system are not consistent. For instance, strong progressive civil service administration has been requiring some attention to educational standards. This will naturally limit the number of candidates, therefore the number of prospective readers of civil service newspapers and customers for civil service coaching schools. Prial's newspaper, therefore, opposes educational standards. Prial predicted, when we set educational credits for policemen, that "the courts will not countenance this flagrant violation of the state constitution." Thereupon Mr. Prial's organization filed a law suit, and true to his prediction, the Appellate Division upheld Mr. Prial's contention. This was the case in which this commission had attempted to give credit for relevant college

(Continued on Page 330)

Recent News Reviewed



Rhode Island, Alabama Secure Merit System

Legislatures Discuss Manager Proposals

By H. M. OLMSTED

Alabama became the first state to adopt civil service in 1939, with legislative approval of an administration measure of Governor Frank Dixon that puts approximately four thousand employees under the merit system.

The new law will establish a broad personnel program covering all state departments. It includes a position-classification plan, a salary and wage schedule based on equal pay for equal work, systematized promotions and transfers, and in-service training of employees. The Governor signed the bill on March 2nd.

On March 7th the lower house of the Rhode Island legislature followed the earlier example of the Senate in unanimously approving a state civil service bill supported by Governor William H. Vanderbilt. About four thousand employees are affected. (See also note following.)

Alabama becomes the fourteenth state in the country with a formal merit system law. Other states in the group include Tennessee, Connecticut, Maine, and Michigan, which enacted merit system laws in 1937, and

California, Colorado, New York, Massachusetts, Wisconsin, Illinois, New Jersey, Ohio, and Maryland.

Legislatures of sixteen other states are considering merit system proposals at present for either state or local governments. In Minnesota a state civil service bill has passed the lower house by a vote of ninety-eight to twenty-eight. North Dakota's Senate has also approved a civil service bill. In Oklahoma, where a bill has been introduced in both branches of the legislature, a House committee has reported it out favorably. The New Mexico Senate has approved a similar measure.

Other merit system bills have been introduced in one or both houses of the following legislatures: Arizona, Georgia, Indiana, Iowa, Kansas, Nebraska, New Hampshire, New Mexico, Oklahoma, Oregon, Pennsylvania, Texas, Utah, and Washington.

Competitive Examinations Required for all Rhode Island Classified Jobs

The civil service bill recently approved in Rhode Island is unique in that it provides for open competitive examinations for all positions in the classified service. Heretofore, efforts for a civil service act have failed largely because the political party in power insisted either on blanketing-in all employees or qualifying examinations. It is recognized that the task of giving open competitive examinations to all persons involves considerable work, but it is gen-

erally believed that more satisfactory results will be obtained.

The law provides for a civil service commission with six-year overlapping terms; one member shall not be of the same political party as the Governor. A Department of Civil Service is established, the administrative head of which is to be known as the director. He is to be appointed by the Governor from a list of three persons found by examination to possess the necessary qualifications to administer the department. Examinations are to be conducted by special commission, two members of which "shall be chosen from among the most competent persons in the field of public personnel administration." The director is charged with administrative and technical activities, and the commission is to represent public interest in the improvement of personnel administration, to advise the Governor and director, to make investigations, to make annual reports, to approve or reject rules recommended by the director, to approve a classification plan, and recommend to the Governor a proposed pay plan.

Heads of departments will be required to appoint the person or persons standing highest on the eligible list, and any appointing authority may dismiss a classified employee "whenever he considers the good of the service to be served thereby." In every case of dismissal "the appointing authority shall, before the effective date thereof, give written notice of his action to the director and the employee." The director is required to make an investigation of the dismissal and report his findings to the commission. The employee may file with the commission a statement in writing concerning the dismissal. The commission may in its discretion approve the dismissal, or it may transfer the affected employee to jurisdiction of another department head who is willing that the transfer be made. The action of the appointing authority in dismissing the employee, however, is, in effect, final. The act covers not

less than 85 per cent of the state employees and exempts only the regular department heads, the state police, and special employees of state institutions, etc.

Annual Budget

Another important state measure of the year is the annual budget. In brief, Governor Vanderbilt has recommended a budget which totals approximately \$1,250,000 less than the budget for the current fiscal year—a reduction from \$16,500,000 to \$15,250,000. Notwithstanding this reduction, it will be necessary for the state to impose approximately \$1,250,000 in additional taxes to balance expenditures with anticipated revenue. To accomplish this end, the Governor has specifically recommended a two-cent tax on cigarettes, and an increase in the tax on spirituous liquors. In addition, he has suggested certain other taxes which may be selected by the legislature to provide the necessary revenue. The budget message was clear and unequivocal and evidenced the first downward tendency in many years.

ROBERT M. GOODRICH

Providence Governmental Research Bureau

Good Government Looks Up in State of Washington

Proponents of good government in the state of Washington are pleased that their House bill 44, an enabling act to allow amendment of the charters of cities of the first class (20,000 population or more) by initiative, passed the House by a vote of sixty-eight to nineteen, but there is some doubt whether they can blast it out of an unfriendly judiciary committee in the Senate. This act is a practical necessity if we are ever to get proportional representation adopted in any of the larger cities of this state.

Although Washington has avoided ever acquiring any state debts, with one negligible exception continuation of the pay-as-you-go policy seems likely to bring an

increase in taxes. The Governor proposed rather substantial cuts in the costs of state government, but under pressure from many sources it looks as though the total appropriations will be larger than for the previous biennium.

Indicative of the growing consciousness of Seattle's leaders that they must take a firm and active hand for good government if their community is to hold its own, is the renaissance of the Seattle Municipal League under the leadership of George La-Fray as president, and Glen Eastburn, formerly of Omaha, Nebraska, as executive secretary. This good government organization, founded in 1910, nearly passed out of existence during the depression, but it now bids fair to become a powerful factor in the community. Charles P. Taft, son of the former President and councilman of Cincinnati, addressed a small luncheon group in Seattle, consisting of the board of the Municipal League, committee chairmen, and a few others particularly active in the problems of good municipal government. He stressed the need of independent citizens' organizations as sources of governmental research and the means of getting the true facts before the electorate. He gave as a yardstick of municipal progress not only efficiency and honesty in government, but a government that gives all its citizens a maximum chance for the enjoyment of their opportunities.

The street car mess in Seattle seems to be approaching a solution through an RFC refinancing and rehabilitating loan which now seems quite probable of consummation through the able handling of Mayor Arthur Langlie with the support of the city council.

J. W. CLISE

Seattle, Washington

Consolidation of State Functions in Kansas

Governor Ratner and State Senator Skovgard have been urging legislation consolidating state governmental functions. A report

of the research department of the legislative council, stating that salaries take two-thirds of state operating funds, has stimulated efforts to eliminate duplication in department activities. A merit system to prevent rapid and costly turnover in personnel is one of the prominent objectives.

Manager Plan before Legislatures, Councils, Voters

Recent Referenda

On March 7th **Castleton, Vermont**, adopted a council-manager charter.

On the same day **Middlebury, Vermont**, voted 599 to one to retain its council-manager government.

On March 13th **Davison, Michigan**, adopted a manager charter by the vote of 140 to 111.

Voters of **Duluth, Minnesota**, defeated a manager plan charter on April 4th.

Poplar Bluff, Missouri, defeated its proposed manager charter by a vote of 1,977 to 229. The two political organizations are reported to have united against the plan.

Midland, Michigan, has voted against charter revision.

The city council of **Modesto, California**, plans to provide for a popular advisory vote on the manager plan, at the April 11th municipal election, if legally possible.

The proposed **Traverse City, Michigan**, manager charter is to be voted upon at a special election on June 20th.

Trenton votes on April 18th on a proposed abandonment of the manager plan.

Legislative Proposals

Advocates of the **Illinois** city manager enabling legislation were heard in Springfield on March 7th by the municipalities committee of the House of Representatives. Among the organizations represented at the meeting of proponents were the Illinois Council-Manager Conference,

the Chicago City Manager Committee, the Chicago City Club, the State Association of Commercial Secretaries, and the American Legion.

On March 21st opponents of the legislation were heard, including R. G. Soderstrom, president of the State Federation of Labor, while Duncan McDonald, former president of the federation, urged favorable consideration. Critics, including another legion representation, denounced the bills as leading to dictatorship and bureaucracy and "destroying all vestige of the democratic form of government." At the close of a hectic session the committee voted against approval.

On March 9th and 23rd public hearings were held in **Philadelphia** on the Senate bills covering the proposed city manager charter; they were conducted by members of the Senate and the House of Representatives.

In **Pittsburgh, Pennsylvania**, the *Sun-Telegraph* has commended efforts in Harrisburg to persuade the legislature to authorize referenda on the manager plan with proportional representation. The proposed charter was introduced by Senator John M. Walker of Allegheny County early in March.

Governor William H. Vanderbilt of Rhode Island and Mayor John F. Collins of Providence are reported to have reached an agreement to submit to **Providence** voters at the same election all the principal proposals for changing the form of government of that city, including the Charter League's city manager-P. R. plan now before the legislature.

Bills sponsored by the Charter League of **Central Falls, Rhode Island**, have been introduced in both houses of the state legislature. They provide for a city manager, a council of five to be elected by P. R., civil service, and a retirement fund for all city employees.¹

A bill has been introduced into the **Rhode Island** legislature making it pos-

sible for cities to draft new charters on action by their legislative bodies or on petition of 10 per cent of qualified electors.

The **Massachusetts** Senate on March 7th defeated efforts to rescind the right of municipalities to adopt "Plan E" charters—providing for city managers and proportional representation—when it accepted the adverse report of the committee that had been considering the bill to repeal the 1938 law authorizing the plan. Some days later an attempt in the House to reverse the Senate's action by reconsideration was likewise defeated.

A bill providing the manager plan for **Concord, New Hampshire**, has been filed in the state legislature.

The city government of **Keene, New Hampshire**, is advocating a charter amendment substituting for the present bicameral council a single body of ten, two from each ward, and permitting the city to adopt the manager plan or other form not in conflict with state law.

Petitions were being circulated, with good results, in **Wilmington, North Carolina**, last month, to bring before the state legislature the question of authorizing the manager plan for that city.

In **Greenville, North Carolina**, following a mass meeting that went on record in favor of the manager plan, the board of aldermen asked the state legislature to authorize a referendum on the subject. A bill to provide such a referendum is now before the legislature. A similar bill for **Raleigh** has passed the House of Representatives and is now before the Senate.

The South Carolina General Assembly has authorized a manager charter for **Greenwood**. The first councilmanic election under the plan was held on April 4th.

The **Montana** House of Representatives has adopted an act reducing the percentage of registered voters necessary to

¹See also page 322 of this issue.

petition for a referendum on changing a city's form of government from 25 to 20 per cent. In **Great Falls**, where the commission-manager plan is under consideration, 2,648 signatures would be needed under this provision instead of 3,310.

In **Maine** two bills making the manager plan optional for towns have been introduced in the legislature.

Caribou, Maine, on March 20th, ratified its manager charter recently passed by the legislature. The new government goes into effect in March, 1940. The towns of **Norway, Lisbon, Bath, Lincoln**, and **Anson** are seeking legislative approval of manager charters, and **Presque Isle**, now operating under a town manager, has been granted legislative permission to become a city under the manager plan. The act must be submitted to a referendum vote.

Activity Elsewhere

In **Atlantic City, New Jersey**, a citizens' group patterned after the Cincinnati model as a permanent nonpartisan organization, is advocating the manager plan.

Bemidji, Minnesota, is working on the draft of a new charter which it is expected will be submitted to the voters.

A council-manager committee in **Birmingham, Alabama**, is making headway and has drafted a bill for introduction in the state legislature.

A bill providing the manager plan for **Manchester, Georgia**, has been passed by the House and Senate.

A group of citizens in **Galveston, Texas**, first city to use the commission plan of government, is considering the manager plan.

The following additional communities are reported to be interested in the council-manager plan: **Port Huron** and

Hazel Park, Michigan; Tomahawk, Wisconsin; Lawrence, Kansas; Havre and Conrad, Montana; Culver City and Santa Monica, California; Ogdensburg and Johnstown, New York; Orlando, Florida; Clifton Forge, Virginia; Ludlow, Vermont; and Belleville and Toronto, Ontario.

Johnson City under the Manager Plan

The city manager form of government, as recently granted by the legislature, will become operative in **Johnson City, Tennessee**, (population 25,080) in May when the new, complete, special charter goes into effect. The manager will be selected for a two-year term by the five-member board of commissioners but is removable only by means of the state "ouster law," which requires a specific charge of misconduct and a trial before a court. The first manager cannot be a resident of the county in which **Johnson City** is located.

A civil service commission is to prepare a list of eligible persons for appointment to the safety services. Firemen and policemen may demand a hearing before the city commissioners if dismissed by the manager.

A board of education is given general supervision over the schools but is subject to fiscal control by the city commissioners.
—L. E. A.

Indiana Creates Commission to Study City Manager Plan

The regular session of the **Indiana General Assembly** that ended on March 6th enacted legislation creating a commission to study the city manager plan of government and to make recommendations for necessary statutory and/or constitutional changes to permit cities to adopt the plan. The Commission will be composed of seven members: two selected by the president of **Indiana University**, two by the president of **Purdue University**, one by the Lieutenant-Governor, one by the speaker of the House of Representatives, and one by the Gover-

nor. It is to make its report in December 1940, just before the next regular session of the legislature.

Other legislation included several police bills: effective January 1, 1940, all police departments will operate on an eight-hour day, except that it will be optional with councils of cities of the third and fourth classes; civil service procedure was adopted for the police department of the city of Gary, Indianapolis having been the only city with its police department under civil service; and the chiefs of the Indianapolis police and fire departments can now be removed only for cause.

Utility legislation included a measure to strengthen the legal right of Indianapolis to purchase the privately-owned water company's property; a law exempting municipally-owned utilities from all property taxes; and a law requiring Fort Wayne to create a pension fund for the employees of its two municipal utilities, other cities being required to form retirement funds for similar employees, with the municipal utility matching the contributions of the employees.

Cities of the second class may now sell or lease mineral rights in parks and airports; the percentage of the cost of grade-crossing eliminations to be met by the railroads was reduced; high schools of cities, towns, and townships where free textbooks are provided in the elementary grades are permitted to provide free text and reference books; and fireworks are to be banned everywhere in the state after August 1, 1939.

VIRGIL SHEPPARD

Indiana Department of Public Welfare

Knoxville Electric and Water Utilities Administered by Separate Board

A charter amendment placing Knoxville's water and electric utility systems under a semi-independent utility board is of particular interest at this time. The agreement reached between the Tennessee Valley Authority and the Commonwealth and

Southern Corporation for the sale of the Tennessee Electric Power Company to the TVA and local governmental units opens the way for the acquisition by many Tennessee municipalities of electric distribution systems. The board type of administrative agency was selected after much local discussion because it was thought to be the best safeguard against the entrance of political factors, party or personal, in the management of the utility services.

The Knoxville Electric Power and Water Board will consist of five members, the first incumbents to be appointed by the mayor and confirmed by the council, to serve for staggered terms of two to ten years. Their successors, who will enjoy ten-year terms, will secure office upon (1) favorable vote of the city manager, (2) favorable vote of a majority of the utility board, and (3) either confirmation by a majority of the city council or failure of that body to approve or disapprove the appointment.

The board will select a general manager, who in turn will appoint a superintendent to head each of the three bureaus of power, water, and accounts. The superintendents, subject to the approval of the general manager, will appoint, remove, and otherwise control the personnel in their respective bureaus. The amendment contains only an anti-nepotism clause, although the water department employees apparently retain their present status in the "civil service." It is reported that the legislature will be asked to pass another amendment placing the electric system employees under civil service also.

The accounts of the power and water systems are to be maintained separately, and each system is to make payments in lieu of property taxes to the city. The board may borrow money not exceeding certain maximum limits stated in the amendment. The provision that the utility board may either use the city's purchasing, legal, and engineering depart-

ments or provide its own allows a large measure of independence in management.

Nashville Electric Power Board

Anticipating that Nashville will acquire the local distributing system of the Tennessee Electric Power Company and will sign a power contract with the TVA, the Tennessee legislature has amended Nashville's charter to create an electric power board to manage a municipally-owned electric utility. A five-member board will be appointed by the Mayor and Board of Public Works and confirmed by the City Council. Overlapping terms of four, eight, and twelve years are provided; the chairman will receive \$3,000 a year salary. A general manager will be in charge of construction and operations. The board is given powers of contract and eminent domain as well as jurisdiction over employees of the electric utility. The amendment prescribes disposition of revenues in accord with the standard TVA power contract, including tax equivalent payments. Once acquired by the city, the electric system cannot be sold without approval of the electorate.

LYNDON E. ABBOTT

Tennessee Valley Authority

High School Students Discuss Charter Proposals for Philadelphia

Student representatives from secondary schools of Philadelphia and vicinity assembled at Temple University on Saturday, February 18th, at the Conference on Problems in Local Government sponsored by the Civic Forum League, an informal organization of secondary school teachers and principals interested in fostering student discussions of contemporary problems. In the morning eight round tables were conducted, in which about four hundred students took part; the topics were the proposed Philadelphia charter, proportional representation, taxation, zoning, the Mort plan for equalizing financial support for New Jersey schools, consolidation of local

governments, rehabilitation of the economically submerged, and local welfare and relief administration. In the afternoon two discussion panels were held, comprised of two delegates from each round table; these had to do with problems of the large city and problems of general interest to local and state units. Questions from the floor were addressed to the panel for reply or discussion. A concluding address was given by Walter J. Millard, educational director of the Philadelphia Charter Committee and field secretary of the National Municipal League.

The large attendance, the widespread interest, and the excellence of the discussions commend the idea of such a forum to League members everywhere for their own communities.

WPA Highway and Recreation Projects

Construction of 2,531 miles of roads and improvement of more than 28,000 miles by workers of the Works Progress Administration in the four-month period from July 1 to November 1, 1938, has been announced by Colonel F. C. Harrington, Works Progress Administrator. Most of this work was done in rural districts.

In addition, Colonel Harrington reported the completion in the same period of more than four thousand new bridges and 52,000 new culverts; the construction or improvement of 1,500 miles of sidewalks and paths, and more than 56,000,000 linear feet of roadside drainage ditches. The figures represent only projects brought to completion during the period mentioned and do not include work done on approximately 10,300 other highway projects. More than 47 per cent of all persons employed by the WPA were reported to be at work on projects of this type.

The Works Progress Administration also has announced that between July 1st and November 1st a total of 1,450 new athletic fields, parks, swimming pools, and

other recreational facilities were completed, and 1,675 were repaired or otherwise improved.

Regional Authorities for the New Jersey Shore

The Atlantic City Planning Association has sponsored proposed state legislation to permit the formation of regional authorities in New Jersey municipalities bordering on the Atlantic Ocean, to own and operate roads, bridges, waterways, parks, facilities for public amusement, recreation and instruction, etc., to collect charges for the public use of these, and to issue bonds secured by revenues or otherwise.

Flint Provides for Effective Planning

A new city planning commission, superseding a former advisory board, has been established by popular vote in Flint, Michigan. The mayor is empowered to appoint a nine-man body consisting of himself, one administrative official, one city commissioner, and six representative citizens, all serving without pay but authorized to employ the necessary technical assistance. A master plan is to be prepared, to which, after public hearing and final adoption, new construction must adhere. The city commission retains the power to override actions of the planning commission. It is intended that the effects of bad planning resulting from rapid growth and land speculation will be cured so far as possible.

Wisconsin Encourages Government Apprentices

Madison, Wisconsin, is the first city to hire apprentices under the statewide plan of training for government careers inaugurated a year ago, reports the Civil Service Assembly of the United States and Canada. The city will place a University of Wisconsin graduate in sociology as an apprentice case worker in its welfare department and will accept a second appren-

tice shortly. Milwaukee and Wauwatosa are making similar arrangements. The state has already employed thirty-two students since the plan was adopted. Under present arrangements, the university grants the student a loan which he repays from his year's salary.

United States Mayors to Meet

The annual meeting of the United States Conference of Mayors will be held in New York City on May 15th to 17th at the Waldorf-Astoria Hotel; and the World's Fair has announced that Tuesday, May 16th, has been officially designated United States Conference of Mayors' Day. The meetings will provide important discussions of pressing municipal problems and interchange of information and experience.

Tennessee Provides for County Consolidation

North Dakota and Kansas Seek Manager Legislation

California Counties Propose Changes

By PAUL W. WAGER

The 71st General Assembly of Tennessee passed into history March 10th after having enacted a considerable amount of important legislation affecting counties.

The most significant of such legislation consisted of certain county consolidation enabling acts. Three rather novel laws were put through with scarcely a dissenting vote, and with the hearty support of Governor Cooper.

Under this legislation machinery for consolidation originates in the county desiring to be absorbed, with a petition of 25 per cent of the voters in the preceding gubernatorial election. The petition is filed with an *ex officio* state consolidation committee composed of the Governor, Attorney-Gen-

eral, the executive director and secretary of the State Planning Commission, and the commissioners of education, taxation, highways, and conservation. The state committee would then appoint a county consolidation committee, to consist of the county judge or chairman and county trustee of the petitioning county, the county judges of the adjoining counties, and five signers of the petition. The state and county committees join in holding hearings at which members of the governing bodies of the counties concerned are invited to attend. Within ninety days of the receipt of the petition, the joint committee is required to report and publish its findings, and if it is found feasible the state committee recommends the consolidation, fixing the new boundary lines. The election commission of the petitioning county must then call an election within ninety days of the publication of the state committee's report. If two-thirds of the qualified voters of the petitioning county favor the proposal, the county is thereby abolished and its records, papers, and other properties transferred.

The effective date of any such consolidation shall be September 1, 1942, and each four years thereafter. Thus time is afforded for the expiration of officers' terms, and vexatious lawsuits are avoided. County officials are required to serve at the same rate of pay during their last years in office as they received during the year just before the petition was filed. This provision was inserted to block salary increases immediately before consolidation.

An accompanying act authorizes the state to issue not in excess of \$1,000,000 in bonds to aid counties in consolidation. Grants of \$50,000 are made to both the consolidating and the absorbing counties to pay the expenses incident to merging. As now provided it will be possible for counties to pool their debts and taxes. A further state grant will provide an amount equal to the present eight cents on \$100 of taxable property now returned for schools, which will be remitted to the absorbing county or counties

on a pro rata basis for five years from the effective date of consolidation.

The state consolidation committee may, in addition to hearing petitions for consolidation, prevent haphazard mergers, protect the interests of the absorbing counties, make available the technical advice of the various state agencies to perfect consolidation, and act as a mediation board.

Except for the difficulty in getting counties to petition for political extinction and the remote possibility of gaining the necessary two-thirds majority in favor of the proposal, there is the further flaw that no referenda are required on the part of the absorbing counties. With the experience of Hamilton County in view, there are few wealthy counties in the state now anxious to adopt one or more impecunious neighbors, even though the state has provided a rather generous measure of relief.

At all events, this method of purchasing consolidation should go much farther than polite tut-tutting and academic exordiums have accomplished in this state or elsewhere in the union.

Other Tennessee Legislation for Counties

One of the legislature's important acts repealed the law under which the former Governor had attempted to get control of the election machinery. This included the constitutionally defunct county unit primary law—an act which permitted the Governor's agents to purge primary registration lists—and an act which had created a so-called crime commission to investigate voting practices in Shelby County. Also repealed was a statute of 1919, originally created to quell industrial strife, used by Governor Browning to dispatch special officers to Memphis during the primary "to keep the peace." Finally the state election board of six members was replaced by a three-man board. This board will choose the members of the county election boards.

Another act tightened the regulations in respect to local health personnel. Federal grants to Tennessee for the public health

program last year amounted to \$288,391, and these grants are conditioned upon certified personnel being guaranteed the local units.

Despite agitation ever since 1911 to secure a more effective government for Hamilton County (Chattanooga), the defeat of the effort in 1937 to get legislative authorization to vote on the adoption of the council-manager plan discouraged further effort at present in this direction.

FRANK W. PRESCOTT

University of Chattanooga

North Dakota Seeks to Modernize County Government

At the next general election the voters of North Dakota will be called upon to ratify a constitutional amendment authorizing optional forms of county government. The amendment would give the legislative assembly authority to provide by law for forms of county government additional to those now provided, at least one of which would be the county manager form. No such optional form of government may become operative in a county until submitted to the electors thereof at a general or special election and approved by a majority of those voting. The law must provide for submitting the question either by a vote of not less than two-thirds of the county legislative body or upon petition of at least 15 per cent of the voters. Any optional form of county government provided by the legislature must specify the number, functions, and manner of selection of county officers.

Another section of the amendment authorizes the legislative assembly to provide by general law for the consolidation of counties and for their dissolution, provided no counties are consolidated without a 55 per cent vote of those voting on the question in each county affected. Neither may a county be dissolved without a similar vote of the electors of such county voting on the question.

No Action on Manager Plan Proposal for Kansas Counties

The Kansas legislature has adjourned without taking action on a bill before it to add the manager plan of county government as an alternative to the present commission form. The bill if enacted would have permitted any county to petition for an election on the manager plan. Under the proposed plan three commissioners would be elected as at present, but they would appoint a manager or executive to carry out their orders. The manager would appoint and fix the salaries of the county attorney, county treasurer, county clerk, register of deeds, sheriff, county coroner, county surveyor, welfare director, and other employees subject to the approval of the commissioners. However, neither the number of appointees nor their salaries could exceed the provisions of the present law in that respect. No person could hold more than one office. The commission would determine policies and enter into major contracts.

County Questions Rise in California

Recent reports from California would indicate that the question of county government is much to the fore. Proposals for the transfer of functions, secession, and city-county consolidation come from numerous localities.

The business men and city officials of El Centro, California, have recommended the use of the Imperial County office of assessor-collector to assess and collect city taxes. This is in line with a development which is taking place in other cities of southern California. It not only avoids a duplication of functions but it simplifies the collecting procedure. It does away with the necessity of two tax bills, which are usually based on different assessments.

Amendments have been proposed to the San Mateo County charter which would permit the county to take over many of the functions of the cities within its

borders. Upon the initiative or with the approval of the cities affected the county might establish and maintain such public services as police and fire protection on a county-wide basis. Already county absorption of municipal functions is under way, seven or eight cities having agreed to an extension of the county health service within their boundaries.

A bill to set up the legislative machinery under which Los Angeles may, if she wishes, have a combined city-county government, was recently introduced into the California Assembly, following its unanimous passage by the State Senate. The bill provides for a referendum within the county on the matter.

Numerous small towns in the valley of West San Fernando have threatened to "secede" from the city of Los Angeles unless they get "better police protection, flood control work, adequate street maintenance," and other facilities. The ultimatum was made at a meeting of the Redesa Chamber of Commerce.

On March 28th San Diego voted "no"—17,995 to 5,690—on the question of secession from the rest of San Diego County and setting up its own city and county government. The San Diego County grand jury had previously issued an official statement strongly condemning the proposal. Much opposition has also been expressed in other sections of the county.

There is a movement on foot for annexation of North Richmond to the city of Richmond, both in Contra Costa County.

At the annual meeting of supervisors of the fifty-eight counties in California, those in attendance, while expressing disapproval of the idea, admitted that the present trend is toward the "eventual elimination of county government as such." C. E. Steinegul of San Joaquin County, retiring president of the association, predicted that the ultimate result would be repeal of constitutional provisions for county government—unless the trend

changes toward home rule. Mr. Steinegul added that in the long run he felt that state absorption of county functions would cost more.

Plan for Metropolitan Government in Pittsburgh Area Revived

Efforts of a group of industrial, civic, and labor leaders to revive the plan for a metropolitan charter and government for Allegheny County has the support of Mayor C. D. Scully of Pittsburgh. The proposal, when submitted to the people in 1929, was defeated because a two-thirds favorable vote was required. The probable procedure this time will be to establish the charter plan by a county-wide election and provide for secondary elections whereby municipal divisions of the county may decide whether they want to come within the metropolitan government.

Manager Proposed for Mobile City and County

According to the *Mobile Press*, Representative Joseph N. Langan proposes to introduce into the legislature in July bills which will abolish the present commission form of government for both Mobile City and County and substitute the manager plan for each. The *Press* makes the suggestion, however, that there is no need for two separate governments. "Why not," it says editorially, "a joint city-county manager form with a consolidation of the two governments?"

A New Effort to Reduce County Offices in New York City

At the request of Mayor La Guardia, Senator Desmond has introduced bills in the New York legislature to give the New York City Board of Estimate and Apportionment power to fix salaries and to create and abolish positions of all county and court employees in New York City. Subject to the civil service law, the bills

would give the board power to create, classify, modify, or abolish positions in the offices of the county clerks, district attorneys, sheriffs, registrars, commissioners of record, commissioners of jurors, and public administrators. It would also affect all employees, except judges, in the various courts in the five counties embracing Greater New York. At present all of these positions, many of which are entirely useless, carry regular salary increments which are mandatory. Mayor La Guardia has endeavored to escape these arbitrary salary expenses by appealing to the courts. But his efforts have been in vain. Unless the city authorities provide the money, the courts compel them to do so.

Bay State Gerrymandering

A bill¹ before the Massachusetts legislature, with Governor Saltonstall's signature assured, should correct a curious distortion of county government that has persisted for years because of its political or partisan origin and its long continued partisan implications.

Revere and Winthrop are in Suffolk County for most purposes, voting in most cases for Suffolk County officers. But they are in Middlesex County when county commissioners and assistant county commissioners are elected. The motive underlying this fantastic arrangement, in the first place, was probably to strengthen Republican control of the Middlesex County government or to weaken Democratic control of Suffolk County. Either hypothesis is tenable. In recent years, however, it has been possible to elect a Democrat to the Middlesex Board of County Commissioners, and to check that tendency the Republicans in the legislature have decided to put Revere and Winthrop back in Suffolk County for all purposes whatsoever. While Winthrop usually goes rather lightly Republican, Revere goes heavily Democratic, so that

the two places together now help the Democrats in Middlesex more than the Republicans.

Whatever the motive, it is an excellent idea to eliminate the Revere-Winthrop anomaly of a split county allegiance or affiliation. Governor Hurley vetoed the bill when it was passed in his term, but Governor Saltonstall is politically in a better position to see the merit of it. Under the new setup provided by the bill, the city council of Revere and the selectmen of Winthrop will absorb the duties of county commissioners in their respective communities, just as the city council of Boston and the selectmen of the town of Nantucket act as county commissioners of Suffolk County and Nantucket County, respectively. This arrangement is a variation from the setup generally prevailing in county government in Massachusetts.

Springfield Republican

Planning and Zoning in Tennessee

Zoning in unincorporated areas of Hamilton County (Chattanooga) and Davidson County (Nashville) is now authorized by special acts. Because the general county zoning law of 1935 is restrictive and ineffective, zoning in these two counties has so far been limited to incorporated municipalities. Shelby County (Memphis) and five counties in northeast Tennessee have already been extended zoning powers by special legislation. The Hamilton and Davidson county acts provide that the zoning plan be prepared by the regional planning commission having jurisdiction in each county. Immediate opportunities to utilize the new county zoning power for land use adjustment are described in *A Study of Possibilities of Rural Zoning as an Instrument for Improving Land Use in Hamilton County, Tennessee*, released by the Bureau of Agricultural Economics of the United States Department of Agriculture.

A general law passed by the 1939 session of the General Assembly and entitled the

¹This bill has now passed the legislature and received the Governor's signature.

community planning act permits unincorporated communities to prepare and adopt a master plan. When petitioned by one hundred freeholders, the State Planning Commission may create and define the area of a planning region for the unincorporated community. The region cannot be over ten square miles in area or contain less than five hundred inhabitants. A "community planning commission," appointed by the State Planning Commission, will enjoy the same extensive powers over planning and subdivision control as are granted to municipal planning commissions by legislation of 1935. The quarterly county court is designated as the agency to enforce and apply the plans and zoning restrictions prepared by the community planning commission. Although this law falls far short of filling the need for an effective general county zoning law, it nevertheless opens the way for planning and zoning for rural and other unincorporated areas for which no special county zoning act has been passed.

LYNDON E. ABBOTT

Tennessee Valley Authority

Comptroller Proposed for Erie County, New York

Hesitating to take steps which would provide the county with a modernized government, the Board of Supervisors of Erie County, New York, are proposing to do no more than patch up the accounting system. According to the *Bulletin* of the Buffalo Municipal Research Bureau, the proposal is that the board appoint a comptroller who would be the chief fiscal officer of the county, in charge of all its financial affairs and of its books of account. He would prepare a budget and when adopted by the board would supervise its observance by the departments, award contracts, designate depositories, supervise insurance, and perform certain other duties now performed by the treasurer and the auditor. Both of these other officers, however, would be retained. The treasurer would

be responsible for the collection of taxes and the custody of county funds. The auditor would give up his present bookkeeping duties and retain only his auditing duties. While the proposal involves another office and added expense, a competent comptroller backed up by the board should prove useful. What is really needed, however, is a complete reorganization with a chief executive having some authority.

Indiana Would Restrict Townships

The lower house of the Indiana legislature has passed and sent to the Senate a bill to prohibit the establishment of new townships having an area of less than twenty-four square miles or a total taxable property valuation of less than \$200,000. The bill was drafted as an outgrowth of disputes among residents of townships in Carroll, White, and Morgan Counties. Most of these disputes involved school fights.

Tax Collections Show Slight Slump in 1938

San Francisco and Topeka Report on Relief

By WADE S. SMITH

Although the average city collected in 1938 a slightly higher proportion of its current taxes than it had in 1937, the collection of delinquent taxes fell sufficiently to bring total collections below the year's levy. In the three preceding years total current and delinquent tax collections had exceeded the respective levies. This is shown in the study of tax delinquency prepared annually by Frederick L. Bird, director of municipal research of Dun and Bradstreet, Inc., and just published.¹

¹*Trend of Tax Delinquency, 1930-1938, Cities of Over 50,000 Population.* By Frederick L. Bird, Municipal Service Department, Dun & Bradstreet, Inc., New York, 1939. Tables reproduced by permission.

The study is based on the tax collection records of 190 cities of over 50,000 population, of which 150 report data on current tax delinquency for 1930-38 and 100 data on total tax collections for 1935-38.

Median year-end current tax delinquency for the 150 cities stood at 10.2 per cent in 1930, rose to a peak of 26.4 per cent in 1933, and has decreased annually since then, according to the study. By 1937 it had reached 11.3 per cent, and this figure was but slightly improved in 1938, the median for last year standing at 10.7 per cent. Naturally, the range in collections among individual cities has been great, a few cities showing current delinquencies at the peak as high as 60 per cent, while at the other end of the scale were a number whose peak delinquency in 1933 was less than the median in 1930. Dr. Bird's compilation of the records of the twenty cities showing greatest stability of current collections, the median, and the twenty cities showing least stability is as follows:

MEDIAN PERCENTAGES OF YEAR-END TAX DELINQUENCY

| <i>Year</i> | <i>20 Most Stable</i> | <i>150 Cities</i> | <i>20 Least Stable</i> |
|-------------|-----------------------|-------------------|------------------------|
| 1930 | 4.05 | 10.15 | 11.85 |
| 1931 | 5.55 | 14.60 | 18.55 |
| 1932 | 7.90 | 19.95 | 27.20 |
| 1933 | 10.15 | 26.35 | 39.05 |
| 1934 | 8.60 | 23.05 | 34.55 |
| 1935 | 7.55 | 18.00 | 28.55 |
| 1936 | 6.15 | 13.90 | 21.15 |
| 1937 | 5.35 | 11.30 | 14.00 |
| 1938 | 5.10 | 10.70 | 13.10 |

The twenty cities with the most stable current collections include Berkeley, Fresno, Los Angeles, Oakland, San Francisco, and San Jose, California; Denver, Colorado; Hartford, Connecticut; Atlanta, Augusta, and Savannah, Georgia; Louisville, Kentucky; Peoria, Illinois; Manchester, New Hampshire; Albany, Binghamton, Niagara Falls, and Syracuse, New York; Providence, Rhode Island; and Dallas, Texas. The twenty with least stable records include

Tampa, Florida; Detroit, Flint, Grand Rapids, Jackson, Pontiac, and Saginaw, Michigan; Atlantic City and Hoboken, New Jersey; Asheville, North Carolina; Canton, Dayton, and Youngstown, Ohio; Altoona, Erie, Johnstown, McKeesport, and Reading, Pennsylvania; and Beaumont and El Paso, Texas.

Noting that differences in the economic structure and resistance to depression influences play a large part in the showing, Dr. Bird writes regarding the cities showing greatest stability that "also of prime significance is the fact that most of the group follow efficient, rigid methods of tax collection," while in the case of the twenty cities showing least stability "study of their tax collection procedure suggests that in some instances excessive delinquency was partially attributable to a lack of energetic and efficient collection methods."

Cities with notably low tax delinquency in 1938 were led by Fresno, California, with 1.3 per cent, followed by San Francisco and San Jose, each with 1.5 per cent and Oakland and Sacramento, California, and Covington, Kentucky, with less than 3 per cent. Honors thus go to northern California, where, as a matter of fact, the highest delinquency among the six cities was 2.7 per cent. Of the 150 cities, 93 showed a better percentage of current collections in 1938 than they did in 1937, four reflected no change, and 53 failed to do as well as in the previous year. The change in percentage for 70 cities, however, was slight, being less than one point.

Despite the improving trend of current collections, collections against the reservoir of back taxes which was swelling total collections abnormally during the several preceding years are drying up, the study shows. Whereas in 1937 the median collection of 100 cities, of total current and delinquent taxes, was 102.8 per cent of the year's levy, total collections fell to 99.8 per cent for 1938. The summary of total collections presents some interesting contrasts:

MEDIAN PERCENTAGES OF TOTAL TAX COLLECTIONS

| Year | Median 100 Cities | Range | | Above Below | |
|------|----------------------|-------|-------|-------------|-----|
| | | Low | High | 105% | 95% |
| 1935 | 100.9 | 74.6 | 122.4 | 29 | 12 |
| 1936 | 102.5 | 82.1 | 131.5 | 34 | 11 |
| 1937 | 102.8 | 77.0 | 141.7 | 34 | 8 |
| 1938 | 99.8 | 80.3 | 121.9 | 19 | 12 |

Commenting on the fact that collections for most of the cities have exceeded levies in the last few years, Dr. Bird writes: "What became of the surplus taxes collected by a majority of cities in 1935-37, and still by nearly half of them in 1938, can be determined only by an analysis of their operating records and balance sheets for the period. While such analyses have been made for substantially all of the cities under consideration the results are too extraordinarily varied to present in any detail here. A large number of cities took advantage of the opportunity to retire floating debts and place their current accounts in sound condition. A few used some of the income as an alternative to borrowing for capital or welfare purposes. Much depended, of course, on whether back taxes were unencumbered or were pledged for temporary loans or for funding or refunding bonds. Some cities saw the situation merely as a means of enjoying subnormal tax levies for a few years, while a minority with conspicuously short-sighted management ended the period with larger deficits than those with which they began it. These last two groups are destined to make the headlines in 1939 in ways uncomplimentary to city government."

Two Cities Report Relief Financing

Despite the fact that the financing of relief has constituted a major problem for municipal governments in recent years, an amazingly small amount of data on the apportionment of costs in individual cities has been prepared by the cities themselves. This is particularly true with respect to so-

called work relief, where outlays for materials, rights of way, etc., are financed by the city and labor is financed by the federal government through WPA. The average municipal report or auditor's report fails completely to show data in such form that relief and work relief financing can be traced, while the few that do so present the data in such form that rearrangement is necessary to secure even an incomplete picture. Hence considerable interest should be aroused by two recent reports in which the subject of responsibility for relief in recent years is treated in detail.

The most complete data on the entire welfare program is that contained in the annual report of the controller of the city and county of San Francisco, Harold J. Boyd, which for 1937-38 includes two tables showing the federal, state, and local outlays for each of the last seven fiscal years for social security and work relief. More colorful is a report published late in 1938 by the city of Topeka, Kansas, under the title, *Topeka Reviews its Public Works*, in which details on the projects and means of financing are provided for the city's PWA and WPA program from November 17, 1933, to September 30, 1938. The latter contains "before and after" pictures of projects, discusses their place in the city's long range improvement program, and provides details on the costs and means of financing each individual project. It does not, however, include any data on emergency relief expenditures, which are largely a county responsibility in Kansas.

Since the present recession makes the trend of relief costs and means of financing of especial interest at this time, and since there is an admitted paucity of information on the experience of individual cities, data of the two studies is summarized below. No effort is made to break down the amounts received from federal and state funds here, although in each instance this can be done from the information presented in the reports under consideration.

WELFARE EXPENDITURES IN SAN FRANCISCO

| | <i>Social Security</i> | | <i>Emergency Relief</i> | |
|---------|------------------------|---------------------|-------------------------|---------------------|
| | <i>Total</i> | <i>City's Share</i> | <i>Total</i> | <i>City-Current</i> |
| 1931-32 | \$1,238,797 | \$ 793,241 | \$3,471,034 | \$ 971,034 |
| 1932-33 | 1,258,447 | 781,403 | 6,921,947 | 1,817,975 |
| 1933-34 | 1,241,014 | 744,195 | 6,236,158 | 730 |
| 1934-35 | 1,309,713 | 767,718 | 2,959,585 | 1,727,210 |
| 1935-36 | 1,713,723 | 884,094 | 1,196,334 | 983,013 |
| 1936-37 | 2,839,055 | 1,020,325 | 1,262,385 | 1,262,385 |
| 1937-38 | 3,989,274 | 1,386,215 | 1,614,926 | 1,614,926 |

In the table above, social security includes old-age pensions, aid to dependent minors, widows' pensions, and blind aid, while emergency relief includes the care of the indigent sick, dependent poor, and the SRA and WPA. The city's share of the social security costs were paid entirely from current funds. Of the \$23,663,370 total emergency relief outlay shown, \$8,377,282 was paid from current city funds as indicated. Another \$9,000,000 was secured by sale of \$6,500,000 relief bonds and \$2,500,000 bonds for public works projects, while \$1,516,056 was borrowed from the state and will be repaid from the city's share of certain state grants. The remaining \$4,267,834, roughly one-sixth of the total, represents grants from the federal government, the only outside aid that San Francisco received for the purposes covered.

The Topeka study presents data on the

cost of each individual work relief project sponsored by the city, showing the amount contributed to each by the city and by outside sources. The summary of the outlays is sufficient for illustrative purposes here, and shows that the city's contributions amounted to but 25.4 per cent of the total, and of this city share slightly less than half came from current funds. As noted above, the study covers the period from November 17, 1933, to September 30, 1938. It does not segregate expenditures and financing by years, however.

Of the \$3,964,994 expended, \$1,444,578 was spent on Civil Works Administration, Kansas Emergency Relief Committee, and WPA projects; \$736,338 was spent on Public Works Administration projects; and \$1,784,078 was spent on projects of mixed sponsorship which included some state and federal highway allotments. It is especially

WORK RELIEF PROJECTS SPONSORED BY TOPEKA, KANSAS

Source of Funds

| | | |
|-----------------------------------|-----------|-------------|
| Proceeds of city bonds | \$513,194 | |
| Proceeds special assessment bonds | 80,400 | |
| From city water department | 40,261 | |
| From other city funds | 373,787 | |
| | | |
| Total city contributions | | \$1,006,653 |
| From other governmental agencies | | 2,958,341 |

Total funds—all sources

\$3,964,994

Expenditures by Object

| | |
|-----------------------------------|-------------|
| Personal services | \$1,231,685 |
| Contractual services | 2,272,561 |
| Materials and supplies | 211,410 |
| Land, equipment and other outlays | 182,465 |
| Miscellaneous and sundry | 66,873 |

Total expenditures

\$3,964,994

noteworthy that personal and contractual services—labor in other words—represented 88.4 per cent of the total expenditures.

Low Tax Levies Precipitate Philadelphia Crisis

Philadelphia's fiscal operations since 1930 have been unique. Contrary to the run of operations of numerous municipalities during the depression period, Philadelphia's position was maintained on a relatively stable basis, whereas in the last three or four years, when municipalities generally were able to meet expenses from revenues, this city's operating account showed a distinctly adverse trend.

By the close of 1930 Philadelphia had an accumulated cash shortage of \$6,500,000, and at the end of 1935 the shortage was \$8,500,000. A series of unbalanced budgets since then have resulted in an unwieldy deficit of \$28,000,000 at the close of 1938. By including delinquent amounts due the sinking fund and unfunded mandamuses, the deficit is approximately \$40,000,000.

Several factors contributed to recent operating deficits, including overestimating delinquent tax receipts, inserting fictitious sources of miscellaneous revenues in the budget, and failure to live within budget appropriations known to be understated at the time of their adoption. But one fundamental factor stands out. Philadelphia endeavored to operate on a tax levy that was kept too low for too long a period. The city's property tax rate was reduced from \$1.95 per \$100 in 1929 to \$1.825 in 1931, to \$1.75 in 1934, and to \$1.70 in 1936, at which level it remained in following years. Property valuations declined from a peak of \$3,470,000,000 to \$2,583,000,000 in 1938. The combination of lowered rates and valuations resulted in a gradual reduction

in the tax levy, which in each of the last two years was 30 per cent below that of 1931. Recent levies fell short of adequately reflecting the tax needs of the city, particularly inasmuch as fixed costs, which comprise an above-average portion of total costs, and operating expenses have both increased.

The maintenance of the reduced tax rate is apparently a matter of policy rather than a response to an abnormally high tax burden. The Bureau of the Census showed in 1936 the over-all per capita tax levy for Philadelphia was slightly below the median for all cities of over 500,000 population and 43 per cent below the highest.

Philadelphia's tax rate remains at \$1.70 for the current year through failure of the council to officially adopt a rate by December 15, 1938. Revenues provided thereby and other sources of income fail to meet current expenses by about \$10,000,000 and provide nothing for payment of prior deficiencies, which, according to the intent of the charter, are supposed to be liquidated in the current year. In order to formulate a financial program the council is seeking new sources of income. Proposals have included an increase in water rates, an income tax, a continuation of the 1938 sales tax, and the assignment of a \$4,200,000 annual rental from the city-owned gas plant under lease to a private company for payment of a \$50,000,000 advance. The latter proposal, now being seriously promoted, offers the city a way out of its present financial difficulties. However, the problem of acquiring revenues will continue to confront the city in future years and will be made more difficult by the dedication of gas income heretofore available for general operating purposes.

CHARLES FABER

New York City

P. R. Decisions

Approaching

Philadelphia, Providence, Central Falls Await Legislative Action

Cincinnati to Hold Referendum

By GEORGE H. HALLETT, JR.

With the city government badly floundering and the citizenry thoroughly aroused by threatened new taxes and a partial breakdown of services, the P.R.-city manager charter proposed by the Philadelphia City Charter Commission is being hailed throughout the nation's third city as the brightest hope of escape. In a survey conducted by the *Evening Bulletin* under the supervision of Dr. George H. Gallup of the Institute of Public Opinion and made public on March 16th, it was found that 76 per cent of those who had formed an opinion favored the charter proposal and 71 per cent of those questioned had formed an opinion. The favorable majority held surprisingly constant in all groups of voters. Better than two-to-one margins were registered in all six of the geographical areas into which the city was divided, in the upper, middle, and lower income brackets, and among the Roosevelt, Landon, and other voters of 1936.

The Senate and House committees before which the Woodward-Shapiro bill to submit the charter to the Philadelphia electorate at a special election this spring is being considered, held two public hearings on it in Philadelphia. A few opponents of some prominence appeared, but the civic, business, labor, and women's organizations of the city urged the passage of the bill with a preponderance approaching unanimity.

Subsequently the large Democratic minority in the legislature announced that it would give the bill solid support. Since popular support for the charter is very

evenly divided between the two parties and one of the bill's sponsors is a Republican, the Charter Committee leading the campaign is hoping for at least sufficient Republican support to secure the bill's passage.

Central Falls Joins Providence in P. R.—Manager Request

The Rhode Island legislature now has before it not only the bill permitting Providence to vote on the adoption of the city manager plan with proportional representation, referred to in this department in February, but a similar bill for Central Falls, an industrial city of about 25,000 population. The bill is sponsored by a Central Falls League, recently incorporated to work for more efficient and less "political" government. It was drafted by R. de B. La Brosse along the general lines of the National Municipal League's model city charter.

The bill provides that a special election shall be called on the new charter provided in it if requested by a petition signed by 10 per cent of the number who voted in the city at the last election for mayor. If the charter is adopted the council is to consist of five members elected on a non-partisan ballot by P.R. at large for a four-year term. The council is to choose the city manager and the mayor. In case P.R. should be held unconstitutional in Rhode Island, the charter provides that the ward system shall continue to be used, but only "pending amendment of the constitution" to make P.R. legal.

The *Providence Journal* has been aiding the Charter League's P.R.-manager charter for Providence and recently ran a series of ten front-page articles on its merits by George E. Pelletier, who had made a study of significant experiences in city government in various parts of the country. One of the articles pointed out that 40 per cent of those who voted in the last Providence election are without representation on the present common council.

On March 6th the common council, after an hour's debate, adopted a resolution opposing the P.R.-manager charter by twenty-two votes to sixteen, but the Republican majority voted fifteen to six against the resolution.

An interesting by-product of the P.R. discussion for Providence was a resolution introduced in the legislature on February 21st by Senator Luigi Maiello, Providence Democrat, calling for a referendum on a constitutional convention to apply P.R. to the State Senate. The resolution alleges that "under the system of proportional representation now being advocated for the city of Providence, if applied to the State Senate, the make-up of the State Senate, as result of the 1936 vote, would have included twenty-three Democrats instead of fifteen Democrats, and nineteen Republicans instead of twenty-seven Republicans; and . . . under the same principle of proportional representation, the Senate, as result of the 1938 vote, would have included twenty-four Republicans instead of thirty-three Republicans, and nineteen Democrats instead of ten Democrats."

The Fight Is On in Cincinnati

After discarding two sets of petitions because of errors in their form, the Cincinnati Republican organization has finally submitted petitions with some 20,000 names requesting a special election on a charter amendment to abolish P.R. and substitute plurality election at large on a nonpartisan rotating ballot without primaries and retaining the central count. The council may have the petitions checked, but if it accepts them as valid must order an election to be held in not less than sixty nor more than one hundred twenty days.

The formerly all-powerful local Republican organization, which has never succeeded in polling a majority of the council votes or electing a majority of the councilmen since P.R. was first used in 1925 but which swept the city at the plurality elections last fall, hopes to pass the amend-

ment on the crest of its present popularity and to elect the entire council in a plurality election next fall.

The Cincinnati City Charter Committee and others are organizing an active defense of P.R. and a recent poll of women which the *Cincinnati Post* considered "representative of all groups in the city" showed a 63 per cent majority in favor of P.R. and against the amendment. "Hence it is no wonder," said the *Post* editorially, "that the Republican politicians are afraid to trust the issue to a general election but demand the heavy advantage that a special election gives a political machine."

Wheeling's Second P. R. Election

Wheeling, West Virginia, is to hold its second P.R. election on May 25th. Under its "Cincinnati Plan" charter it differs from its model by choosing councilmen at special municipal elections in the spring every fourth year.

Wheeling's first city manager appointed by a P.R. council, Harry J. Humphrey, who ran the city administration without "politics" and without an annual deficit for the first time in years and helped keep the city's tax rate lowest among American and Canadian cities last year¹ but who was widely criticized on other grounds, has recently resigned. In his place the council chose the city engineer and former county administrator, Walter Smith, a graduate in engineering from Virginia Military Institute who enjoys an excellent reputation and is considered by many to be the best qualified administrator in Wheeling.

P. R.—Manager Repealer Defeated in Massachusetts

The attempt to repeal the new optional "Plan E," under which three Massachusetts cities narrowly missed adopting the city

¹See "Comparative Tax Rates of 294 Cities, 1938," NATIONAL MUNICIPAL REVIEW, December, 1938.

manager plan with proportional representation last fall, has been unsuccessful. After a public hearing the committee reported the repealer adversely and the Senate accepted the report on March 6th without debate, refusing by thirteen votes to ten to revive the bill when reconsideration was moved by the Democratic minority leader three days later. The House reversed the committee report when it first came up on March 13th during a blizzard which kept away many members, but on a roll call vote the next day defeated the bill by 114 votes to 91. The Massachusetts cities which are considering Plan E votes are thus free to proceed with their campaigns.

Chancellor Bruening on P. R.

Heinrich Bruening, last Chancellor of the German Republic before Hitler, who is now on the faculty of the Department of Government at Harvard University, wrote the following letter on February 10, 1939, to Chandler W. Johnson, Cambridge, in response to a request for his comment on the argument that Germany's experience with P.R. should cause American cities to approach it with caution:

"In reply to your inquiry I wish to state that in my opinion the experience of the German Republic with proportional representation has no bearing upon an appraisal of that system of proportional representation made available in combination with the council-manager plan for the municipalities of the commonwealth of Massachusetts. In the first place, the single transferable vote as incorporated in the law of this commonwealth is in no way identical with the choice among different party lists under the constitution of the German Republic. The former emphasizes the desirable contact between the voter and the representative of his selection; the latter encourages the formation of minor parties. In the second place, the operation of proportional representation in national elections has effects different from those of proportional representation on a municipal level. The undesirable effects of the former

German system of proportional representation did not present themselves in the sphere of municipal government."

TENNESSEE EXPERIMENTS

(Continued from Page 292)

practicable by citizens of Tennessee and that county residence be considered in order that an equitable distribution of employees can be had are not in harmony with the merit principle, and should be eliminated.

(3) More satisfactory classification and compensation plans should be worked out and an objective promotional rating scheme should be promulgated.

(4) Lack of success of the merit system in Tennessee was the result not so much of the type of agency established as it was lack of support on the part of the people and administrators. It is believed that this support would have been lacking even if the commission type had been used in the 1937 act instead of the single administrator type. Too many people in the state are not yet convinced that they want a system of personnel administration based on merit. The successful administration of the merit system in government, like any other important development, depends upon education and understanding. In order to foster this education and understanding among the people and administrative officers it might be well to set up an association of interested and influential citizens representing all sections of the state who will sponsor the cause of merit principles in personnel administration.

Recent Books Reviewed



EDITED BY ELSIE S. PARKER

Revenue Bonds. By John F. Fowler, Jr. New York City, Harper & Brothers, 1938. 249 pp. \$3.00.

Discussion of the problems of public indebtedness usually is found relegated to a minor position in textbooks on public finance, the major portion being devoted to problems of taxation. There has been a dearth of books on the subject, although some significant contributions have been made in recent years, such as those of Messrs. Studenski and Hillhouse. Mr. Fowler's book now constitutes an invaluable addition in this limited field.

After several chapters devoted to definition, history, and the description of some typical revenue bond issues, Mr. Fowler analyzes the problem from several aspects. Desirability from the investor's point of view, remedies in the event of default, tax exemption, legality for investment purposes, and the marketing of the bonds constitute the major subjects of the study. There are two concluding chapters concerning the economic aspects of revenue bonds and some related developments at home and abroad. A list of five appendices provides very valuable statistical information regarding outstanding revenue bond issues.

The author shows a thorough knowledge of his subject and writes with enthusiasm. Without wishing to insist on pedantry, the reviewer believes the value of the book would have been enhanced by the addition

of a few footnotes. At least when quoting court decisions or the statements of other writers, the sources of the material should have been designated.

Students, public administrators, and dealers and investors in public securities will benefit greatly from Mr. Fowler's study. It throws light on a method of financing public improvements that has become increasingly popular in the past several years and that shows every promise of continuing to grow with the expansion of the scope of governmental activities.

E. A. MAUCK

University of North Carolina

State Tax Yield Statistics: 1938. New York, Tax Policy League, 1939. 72 pp. mimeo. \$1.50.

Survey of State Tax Problems: 1939. New York, Tax Policy League, 1939. 31 pp. mimeo. Fifty cents.

These two issues of *Tax Policy* (December-January and February, 1939), the monthly publication of the Tax Policy League, deal with two phases of what is essentially one subject—the first, with actual revenues received from various sources by the individual states in the fiscal year ending in 1938; and the second, with the problem presented by the failure of these revenues in certain instances to meet anticipated requirements in the next year or two.

The volume on state tax yield statistics

is an enlarged and greatly improved successor to a similar study published by the Tax Policy League covering 1937. Data for all forty-eight states are included this year, certain of the revenue classifications have been changed to conform more with the realities of the situation than heretofore, and a table has been added showing for each state the percentage of each revenue to the total. A short discussion prefaces the tables, summarizing both the statistical results and the trends toward or away from regressive tax systems in individual states. The study shows that during the fiscal year covered state tax collections totaled nearly \$3,200,000,000, with gasoline taxes accounting for 24.9 per cent of the total, gross receipts taxes 13.9 per cent, net income taxes 12.5 per cent, motor vehicle taxes 11.9 per cent, alcoholic beverage taxes 8.8 per cent, property taxes 6.8 per cent and the other sources scattered amounts ranging downward from 4.6 per cent in the case of inheritance taxes to .01 per cent for oleomargarine taxes.

The volume on state tax problems is a symposium of brief notes from state correspondents of the Tax Policy League, pertaining mainly to problems coming before state legislatures meeting this year. Many of the summaries are remarkably penetrating, most are fairly adequate, and a few fail to note pressing if not spectacular problems in several of the states. The emphasis of legislative activity shifts so rapidly that reproduction of any of the comments would be somewhat out of date by the time this reaches print, but the bulletin's readers have undoubtedly found the summary an informative survey in the main. There is evident in the various notes a tendency to "view with alarm" superficially regardless of the enormity of the problem under review, but perhaps the bulletin can be repeated next year with instructions to the contributors to hew a little closer to the line. The study is certainly worth publishing, and just as certainly can be substantially improved.

W. S. S.

Public Welfare Administration. By Marietta Stevenson (for American Public Welfare Association). New York, The Macmillan Company, 1938. xi, 352 pp. \$2.50.

The very fact that this book was written is significant. To tag the term "emergency" to anything is invariably a signal for the suspension of all rules, with no holds barred even in the clinches. Because Miss Stevenson's book constitutes an attempt to apply the principles of public administration to relief and social security functions, it may be said that the emergency period of relief is over. To all those who have been alarmed by the ostrich-like evasion of the truth of the permanency of relief, that is a good sign.

In a sense, there is nothing new here. There have long been good works on public administration in general, and its tenets are well established. This is just a demonstration of the applicability of those tenets to relief and public welfare work.

But besides that, a veritable mine of information is laid out in orderly fashion. All the factual details of just how relief work is now being done by the federal government, the states, and the localities, the kinds of organization used, the kinds of rules now being applied, all this is available in one place.

There are seven appendices too, which provide, respectively, "Per Capita Personal Income, By Geographic Divisions and States, 1929"; "State Public Welfare Surveys"; "State Welfare Agencies Classified by Form"; "Administration of Public Assistance Under the Social Security Act, January 1, 1938"—including statutory citations, record of federal approval of plans, and kind of administration; "State Agencies Administering Services in Coöperation with the United States Children's Bureau"; "County Public Welfare Agencies Analysis of New Statutory Provisions 1935-1938"; and a bibliography.

Anyone who has ever tried to find out

anything about the relief situation in this country—and had to do hours of half-hopeless research for the most minute details—will devoutly appreciate this sort of thing.

M. R.

Public Employment Service in the United States. By Raymond C. Atkinson, Louise C. Odencrantz, and Ben Deming. Chicago, Public Administration Service (for the Committee on Public Administration of the Social Science Research Council), 1938. xiv, 482 pp. \$3.75.

Several other studies in social security administration have emerged from the program of the Committee on Public Administration of the Social Science Research Council and apparently at least one other is yet to come. All have borne the cachet of authority which one associates with that organization and with Public Administration Service, which is the publishing agency.

This volume is no exception to that rule. There is no need to mention the desirability of and need for a work on public employment service administration. Like the rest of the social security program, our public employment offices represent for the most part a flight into the governmental unknown. Therefore, whoever provides a chart to steer by is a public benefactor.

This is a relatively long book, but to the serious student of the problem all of it must be of interest. Not only are there tables which achieve much of their value because they are, for the first time, all to be found in the same place, but there is analysis of procedures and a decisive separation of the wheat from the chaff.

Naturally, the book thoroughly covers the roles of federal, state, and local governments in the public employment picture. It is interesting to note how few volumes which deal with governmental problems these days can avoid doing just that.

M. R.

One Year of Civil Service. By Melvin L. Jacobs and C. H. Smeltzer. Harrisburg, Commonwealth of Pennsylvania, Department of Labor and Industry, 1938. 97 pp.

The campaign to extend the merit system on the state and local government levels is being greatly stimulated by the operation of state programs in the selection of personnel on a merit basis for the administration of federally-aided social security and employment service activities. The successful use of these non-political recruitment techniques will provide a practical illustration of the value of a merit system in the many government units which still operate on a patronage basis.

This report indicates that the Pennsylvania Department of Labor and Industry, aided by experts in the field of personnel recruitment, has done its work thoroughly in its efforts to select a capable staff. While still adhering to some outworn civil service methods, such as giving equal credit for three years of graduate study leading to a Ph.D. and for one year of routine social work experience, the department did take advantage of some progressive ideas in personnel selection, such as limited use of oral tests, reliance on objective written tests, and related devices. The value of this report lies in the detail of its presentation of the successive steps involved in a recruitment program on a merit basis.

The Pennsylvania situation is another example of the growing movement, which has been successful in Ohio and Massachusetts, to prohibit the establishment of educational requirements for entrance into the public service. While theoretically it should be possible to construct tests which measure the same things as secondary and university education, yet, in the practical situation which most personnel agencies find themselves in, with little money for test experimentation and a large number of applicants, the prohibition on education requirements means an inevitable breakdown

in personnel administration by the inability to have eligible lists available for certification.

MILTON MANDELL

Tennessee Valley Authority

Men Must Act. By Lewis Mumford. New York City, Harcourt, Brace and Company, 1939. 176 pp. \$1.50.

Several lengthy treatises on foreign policy have made their appearance in recent months, but none has been able to state in a concise manner what Lewis Mumford has put between the covers of his latest volume. Mr. Mumford's work is rather unique in that its positive suggestions outweigh its criticisms and argumentation. Written in a style that is both readable and unusual, *Men Must Act* analyzes the present international situation with amazing clarity and then proceeds to recommend a policy that is worthy of consideration by our own country.

According to the author, neither isolation nor collective security is a workable policy. The former solution has been tried and found wanting. Mr. Mumford suggests that in America it has taken the form of furnishing munitions to Fascist Italy and Germany while neglecting the needs of Loyalist Spain. It is the refusal to make a commitment and the endeavor to enrich our own coffers by remaining aloof. But neither is collective security a way out, for this implies the adoption of the Fascists' own methodology including regimentation and dictatorial practices. There is also a suggestion that we would find it exceedingly difficult to discover a power trustworthy enough with whom to ally.

Mr. Mumford's solution is that of non-intercourse. And it is no half-way policy that he would adopt. It would incur the breaking off of all diplomatic relations with Fascist governments who have demonstrated that they do not—and do not intend to—keep their word. In this way, Mr. Mumford contends, our country would be declaring to the whole world that it dis-

approved both of the philosophy and of the methods of Fascism.

Our author feels that debates over the conflict of communism versus fascism only serve to obscure the real issue. Fascism and communism really have much in common. The real and profound contrast is that between fascism and democracy. Their philosophies are inherently opposed, as are their goals and their axiological standards. Although the vocabularies of both contain many words in common, their definitions are wholly variant and oftentimes actually antithetical.

Mumford's presentation is a definite contribution in the realm of recent political thought. Both his analysis and his solution are worthy of profound consideration and careful study. Although he is in no sense an alarmist, his comments are phrased to invite his readers to abandon their lethargy and consider their peril.

THOMAS FRANKLYN HUDSON

San Diego, California

Metropolis: A Study of Urban Communities. By Howard B. Woolston. New York City, D. Appleton-Century Co. 1938. 325 pp. \$2.75.

Professor Woolston's book is designed primarily as a textbook for courses in urban sociology. The topics that are discussed include the factors determining the nature of cities, the history of cities, urban psychology, problems of housing, the conduct of business, government and politics, public services, social resources, and the future trends of cities. Approximately thirty-five tables are used to supplement the textual material. Although primary emphasis is placed on urban problems in the United States, European experience is frequently cited for purposes of comparison.

The book suffers under several handicaps. In the first place, the wide scope of the materials used prevents adequate treatment of most of the subjects discussed. The structure of the book appears to indicate that the author desired to give equal space to all

phenomena observed irrespective of their relative importance. Consequently, it seems that frequently the obvious is labored while the important is ignored or dismissed in a single paragraph. For example, proportional representation is given no place in the discussion, and the problems involved in the matter of increasing influence over cities by the federal government are mentioned only incidentally. Surely New York City's experiments with the former and the far-reaching implications of the latter warrant their inclusion. In general, many urban problems are treated in a very superficial manner, while at some points there are included statements that appear to embody misleading assumptions.

Secondly it cannot be said that the book is well written. In several cases grammatical errors were noted by the reviewer. In other instances the diction is poor, the style awkward, and the meaning lost in confusion.

E. A. MAUCK

University of North Carolina

Additional Reports Received

Trend of Tax Delinquency, 1930-1938. By Frederick L. Bird. New York City, Municipal Service Department of Dun & Bradstreet, Inc., 1939. 33 pp. \$2.

For a review of this pamphlet see page 317 of this issue.

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Low Rent Housing. Report of the State Board of Housing to the Governor

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THE INVENTOR

(Continued from Page 270)

gaining with the others so that each will, in the end, get pretty much what he wants.

Forgetting for the moment the other serious flaws in the commission plan, which permit toleration of five little governments where there should be one, of five little political spoils machines based on the discredited patronage philosophy, or a "cat and dog fight" government divided by jealousies, the one which strikes home most forcefully is the wasteful log-rolling which we simply cannot afford to endure today.

Just as individuals and families, in times of financial stress, find it advisable to spend more carefully and constructively, so must local governments. It becomes a distinct honor for a city to operate on a rigid budget, to work toward a pay-as-you-go plan, and to provide a dollar's worth of service for each dollar of tax money spent.

Forty years ago Galveston's was a noble experiment, indeed. But now a better piece of municipal machinery has been developed—and proved in such cities of similar size as Kalamazoo—so Galveston may once again show its progressiveness by shaking off tradition and adopting a method to fit the problem.

LETTER TO THE EDITOR

(Continued from Page 304)

training in an examination for patrolman. It sharply defines the issue between the old Tammany crowd, which is represented by Priol, and this commission which is attempting to raise the recruiting level of the public service.

Some of Mr. DeRoode's comments can be dismissed more lightly. To credit the state commission, for instance, with our work in reducing exempt positions is like crediting a minister with the selection of a bride. The action of the state commission in these cases is, of course, only confirmatory.

His statement that the present administration has imposed non-merit appointments on the relief bureau is utter nonsense. In the course of about two years, dealing with an operating system of the highest delicacy, this commission has reduced provisional appointments from about 12,000 to less than 4,000 and now has lists ready for hundreds of additional jobs. The false allegation that there has been undue delay is an obvious sham behind which Tammany politicians and some Tammany judges have hidden in their criticism of the work of this commission.

Naturally, there is no sinister tie between the professional politicians and the Appellate Division in these cases and I give the Appellate Division credit for good faith as Mr. DeRoode requests. It is a serious matter, however, that this court should refuse the same credit to a vigorous merit system administration which has reduced political jobs to the lowest point in the history of the city and which is steadily accomplishing improved technique and efficiency in administration.

Sincerely yours,

PAUL J. KERN, *President*

New York City Civil Service Commission